BROADCASTING
and
Broadcast Advertising

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NBC Reaches Agreement With ASCAP

Network Pays 2¾%, Stations 2¼% In Deal; Affiliates' Approval Required

THE BOARD of Directors of ASCAP last Friday announced that it had approved the terms of the proposed contract with NBC, ending a week of almost constant negotiations. Attorneys for the Society and NBC immediately got together to draw up the official document.

NBC will ask its affiliates for their approval, and the actual signing was expected to take place forthwith, following which ASCAP music will again be heard on the NBC networks after an absence of more than seven months.

Terms agreed on by ASCAP and NBC earlier in the week are much the same as those outlined in NBC's proposal, made June 27 [BROADCASTING, June 30], whose general outline is followed by the new agreement. Chief alteration is an increase in the network blanket commercial license fee from 2½% to 2¾% of net time sales, and in the station blanket commercial license fee from 2% to 2¼% of net time sales.

Recapture from Affiliates

Since NBC is asking its affiliates to refund as their share of the ASCAP fees on network programs 2¾% of what they get from NBC for these programs, the contract is subject to the approval of the affiliates, but after discussing with a number of these stations, NBC said it expects no difficulty in securing this approval.

Contract, like the MBS-ASCAP contract, runs until Dec. 31, 1949. Contracts will then be automatically extended for a period not to exceed nine years, with the understanding that if ASCAP demands an increase which NBC is unwilling to pay, the question is to be determined by arbitration.

Unlike the Mutual deal, however, NBC's covers FM and shortwave broadcasting as well as standard domestic programs. Television is not covered, inasmuch as ASCAP does not control the television performing rights of its members, according to statements made by ASCAP executives at the time the MBS contract was negotiated. For the right to use ASCAP music on network sustaining shows, NBC will pay ASCAP an annual fee of $200 for each regular affiliate.

NBC's M&O stations will pay ASCAP the following fees on local sustaining programs: if the net receipts of the station from local business exceed $150,000, twelve times the station's half-hour rate; if between $50,000 and $150,000, 12 times the quarter-hour rate. A nominal sustaining license fee of $12 a year would be applied to any stations earning less than $50,000 per year.

The new blanket commercial fees, representing an increase for NBC over its previous offer, also represent a decrease for ASCAP, which had been standing pat on the terms of its MBS contract, 3% from both network and stations for four years and 3½% after that until 1950.

ASCAP's Prospective Take

It is estimated that the new terms, if acceptable to the entire broadcasting industry, will give ASCAP an annual revenue from radio of between $3,000,000 and $3,500,000, as compared with the $4,200,000 the MBS terms would have produced. ASCAP is bound by a favored nation clause in its agreement with MBS and with the Mutual affiliate stations to offer them the NBC terms or better terms offered to any other broadcaster.

CBS also is expected to accept the NBC deal for its own network and M&O stations, although negotiations betwen ASCAP and CBS have been dilatory for the last few weeks. Once all the national networks are again using ASCAP music, it is probable that the majority of individual stations will also sign with the Society, thus explaining ASCAP's willingness to accept the compromise fees.

This acceptance did not come without a struggle, however. According to reports, Irving Caesar had waged a bitter fight against making any monetary concession to NBC and CBS, and later in the week he led the opposition to the acceptance of NBC's method of handling the situation arising out of the State anti-ASCAP legislation in Florida and Nebraska. With all other problems settled earlier in the week, the ASCAP board spent all day Thursday considering the State law situaton, with Mark Woods, NBC vice-president and

(*Continued on page 38B*)

White Offers Bill to Revamp FCC

Commission Powers Curbed in New Measure

CALLING for a full-range revision of the existing law governing broadcasting, the long-incubated ripper bill to remould the FCC was dropped into the legislature hopper last Thursday by Senator Wallace H. White, Jr. (R-Me.), with the heat on for speedy enactment.

In the form of a series of amendments to the Communications Act of 1934, which has been under sharp attack as antiquated and shot-through with loopholes which have allowed the FCC to run wild, the White Bill (S-1806), promptly was referred to the Senate Interstate Commerce Committee for action. For several months Senator White has been working on the measure, and it already has implied support of a number of Committee members who have deplored current conditions in radio regulation.

Eight Points

The measure, as introduced by the Maine statesman, recognized as the best informed man in Congress on radio law, and co-author of the existing act, would:

1. Set up a separate three-man, fully autonomous division within the FCC, having its own chairman, as a Division of Public Communications to handle all broadcast, television, FM and related matters.

2. Create a parallel statutory division of Private Communications to handle public-utility common carrier pursuits.

3. Make the chairman the executive officer and coordinator, but with no regular functions on either division, except as a pinchhitter for a sick commissioner or in case of a vacancy.

4. Clearly define broadcasting as not subject to common carrier concepts, and prevent the Commission from usurping authority over business aspects, programs, rates, or other fields upon which it recently has impinged.

5. Block repetition of the current newspaper-divorcement proceedings by preventing the Commission from throwing any class of applicant into the suspense files, as it has done with new newspaper applications.

6. Clearly delineate the Commission's functions as to hearings, transfers of licensees and appellate procedure by eliminating loopholes and making mandatory full hearings.

7. Broaden provisions on use of facilities by candidates for public office, and require identification of speakers on controversial issues, with equal time for all sides.

8. Authorize the issuance of stay orders against Commission decisions by the courts, and allow reviews on the facts, as well as the law, with additional time in which to seek rehearings or appeal.

It is recognized that any bill not directly concerned with national defense has a difficult row to hoe legislatively. Despite this, the crying needs evidenced during the recent hearings on the White Resolution before the Interstate Commerce Committee for new legislation is expected to arouse support for expeditious consideration. Whether there will be hearings promptly, before the full committee or a subcommittee, must await conferences between Senator White and Chairman Wheeler (D-Mont.) of the Committee.

Early Hearings

After introduction of the bill, Senator White told BROADCASTING he hoped to have early hearings. He explained that the measure did

(*Continued on page 18A*)

Radio, Printer-Lobbyists and A Boston Tea Party—*An Editorial*

IF A VOTE were taken today on whether broadcasters regard their business as hexed, bewitched or hoodooed, the "ayes" would win by a landslide. The House Ways & Means Committee action in voting a super-income tax upon broadcast advertising revenue is the last straw.

The provision isn't law yet. It may even be licked in the House, though prospects are all but nil there. If it isn't stopped in the Senate, then all broadcasters had better hold their hats! Even an apprentice psychiatrist would advise that they begin looking for saner pursuits.

The very fact that a committee of 25 legislators, strong and true, could be taken in by the crew of labor lobbyists who plumped for the discriminatory tax against radio is stupefying. The language used by the Ways & Means Committee in its report might have just as well been plucked from the propaganda broadsides unleashed a few months ago by John B. Haggerty, president of Allied Printing Trades Assn. Printers, typographers, engravers and stereotypers, he contended, were losing jobs because of radio advertising.

Why this happened at all properly should be shelved for future reference. Right now the job of every broadcaster, and in fact every man identified with advertising, whatever its nature, is to kill what we might call the Haggerty-Flynn amendment. Enough has been said since the provision popped into the last draft of the bill to establish it as perhaps the most glaring instance of tax discrimination since the Boston Tea Party. In a $3,500,000,000 revenue-raising project for defense purposes, eight or ten millions which would be euchred out of broadcasting is a bagatelle. But it's enough to amount to confiscation for many radio operations. Beyond that, it again labels radio as a business living only by sufferance of a government franchise, and therefore one that should pay extraordinary tribute, penalizing it as an advertising medium and correspondingly benefitting its competitors.

We have seen enough during the last week to prove that the industry at long last is at work. If the efforts in the House fail, the last stand must be made in the Senate. Eminent tax counsel has been retained by the NAB in Mr. Ellsworth Alvord, of Washington. Broadcasters are working for their own salvation. The NIB has gone out to its members, most of whom would not be affected *immediately* because of the $100,000 gross income exemption.

That is all to the good. No broadcaster, however small, should delude himself into believing that since the tax will not touch him *now*, it will sock his competitors, and therefore should not be of concern. The history of tax legislation is toward the lowering of exemptions until they are eliminated altogether. And this a *gross* tax, not a tax on net income or profits.

In passing, we cannot help but wonder where the American Federation of Labor, parent of Allied Printing Trades, fits in this picture. AFL and its president, William Green, also have under their protective wing such unions as American Federation of Radio Artists, American Federation of Musicians, and the International Brotherhood of Electrical Workers, Radio Division, who are dependent upon radio for their livelihoods. Does AFM condone the tearing down of one medium, which would seriously endanger the jobs of thousands of announcers, program people, musicians, technicians and artists, so that another segment of its membership might somehow benefit? We think Mr. Green, Mr. Petrillo and the AFL executive council might well look into this.

What interest, if any, certain individuals on the FCC might have had in spurring House Committee action on the discriminatory tax, also would prove enlightening. The Committee, we feel confident, did not think up for itself that master stroke of irony written into its report, whimsically pointing out that regulation of broadcasting is "provided at public expense, with great benefit to the industry but without any special costs to that industry". We venture there is a hatchet-man or two around the FCC who inspired this delectable morsel, perhaps over a beer with the minions of the labor lobby.

If radio is to survive as a business, the super-tax cannot. For that reason (plus the righteous resentment now manifest in the industry) we feel it will be knocked out before the Revenue Act becomes law. Even if it is, there should be no letdown by broadcasters. The FCC right now has a cute little trump it proposes to play on franchise taxes, if Congress doesn't [please look below].

ATLANTIC FOOTBALL COVERAGE BEING SET

FOR the sixth consecutive season, Atlantic Refining Co., Philadelphia, will sponsor broadcasts of football games played this fall by major Eastern colleges, outstanding high-schools and some teams of the National Professional League. Although the schedule of games and the total number of stations have not yet been decided, N. W. Ayer & Son, Philadelphia, agency in charge, reports the broadcasts will start the last week in September on stations in Atlantic Refining's marketing area, which extends along the Eastern seacoast from Maine to Florida and as far West as Ohio.

As in the past, N. W. Ayer plans to hold a pre-season coaching session to standardize for its announcers the methods of delivering the play-by-play descriptions and commercial announcements. This session is held annually so that listeners will hear the same announcing technique in switching the dial from one game to another. To select the announcers and commentators for this season's broadcasts Atlantic Refining also will hold its usual announcers' conference date for which has not been set. According to Ayer details for this year's football broadcasts will be released early the week of Aug. 4.

T. WELLES, formerly of BBDO and Lord & Thomas, New York, has been named by Ted Bates Inc., that city, to direct the new *Guy Lombardo* show, to go on the air Aug. 2 for Colgate-Palmolive-Peet Co., Jersey City.

Franchise Levy by FCC Likely If Congress Kills Radio Tax

Alternative Propositions, Under Study, Would Provide Funds for FCC Broadcast Operations

For news of tax bill, see page 10

IF THE special excise tax upon broadcast advertising is killed at this session of Congress, then look for something in the nature of a franchise levy invoked by the FCC, to defray its operating overhead.

Just about the time the House Ways & Means Committee erupted with the 5 to 15% net sales tax [BROADCASTING, July 28] the FCC had before it several alternative proposals to procure revenue from licensees to pay its own overhead. It is expected these will be held in abeyance until Congress makes up its mind.

If Congress does impose a heavy tax, it is assumed the proposed franchise scale will die. On the other hand, if Congress knocks out the tax or spreads it over all advertising media on a more nominal basis, the special Commission formula may be revived.

FCC Chairman James Lawrence Fly, at his press conference last Monday, pointed out the Commission for several years has looked into the matter of a special franchise tax and that there is some Commission sentiment in favor of taxing broadcasting for the cost of regulation.

Several alternative propositions are understood to be before the Commission and have been considered in the past without final action. These are understood to include fees applicable to all branches of communication subject to FCC regulation. For example, there would be annual fees for telephone and telegraph companies, as well as for the some 50,000 amateurs holding Government licenses and commercial radio operators. These individuals might be assessed a nominal fee of $1 a year, it was pointed out.

The alternative plans for broadcasting roughly might be classified as follows:

(1) What would be regarded as a more or less minor tax on station gross, to be assessed annually, probably to raise $1,250,000 of the FCC's approximate $5,000,000 budget, to defray broadcasting costs.

(2) A filing fee assessment, with a fixed minimum of $500 for construction permit applications for 250-watt stations and an added stipend for applications seeking power in excess of 250 watts; possibly a $100 filing fee for modifications of licenses, $10 fee for special authorizations, etc.

(3) A wattage tax, starting at a fixed minimum of $250 for 250-watt (local) stations, and graduating upward with the power brackets. With approximately 1,000,000 watts of power allocated for broadcasting, such an impost presumably would raise what is regarded as the requisite $1,250,000.

Band-Aid Adds

JOHNSON & JOHNSON, New Brunswick, N. J. (Band-Aid), on Aug. 19 will add a second weekly period to *The Voice of Broadway*, with Dorothy Kilgallen, presently heard Saturdays, 11:30-11:45 a.m. on 59 CBS stations. Additional weekly broadcasts will be given Tuesdays, 6:15-6:30 p.m. on 64 CBS stations. Young & Rubicam, New York, handles the account.

Prudential's Show on CBS

PRUDENTIAL LIFE Insurance Co. of America, Newark, on Aug. 31 starts a new musical show, *Prudential Family Hour*, Sundays, 5-5:45 p.m., on 57 CBS stations. The program is of the variety type, featuring everything from classical to popular tunes played and sung by Gladys Swarthout, Metropolitan Opera star, Ross Graham, Baritone, "Skeeter" Russell, comedian, a chorus of 14 mixed voices and Al Goodman's orchestra. Deems Taylor will be regular commentator. Each week a drama telling the story of some piece of music of some great composer will be woven into the program. Agency is Benton & Bowles, New York.

Newspaper-Radio Hearing Quits Until Fall

Pair of Witnesses Will Be Cited To Court

AFTER SITTING five days over a two-week period, during which most of its subpoenaed expert witnesses and practically all of its exhibits boomeranged, the FCC last Friday called quits on its newspaper-divorcement inquiry for the balance of the summer. The Commission will reconvene, barring unforeseen developments, on Sept. 17.

The final day's session was enlivened by orders from Chairman Fly to his Law Department to institute court proceedings against James G. Stahlman, publisher of the *Nashville Banner*, and former president of the American Newspaper Publishers Assn., and Alfred S. Friendly, business manager of the *New York Sun*, also an ANPA official, for their failure to answer FCC subpoenaes. At the opening session July 23, Elisha Hanson, counsel for ANPA, had challenged the FCC's jurisdiction and announced that witnesses subpoenaed would not appear, on his advice.

Contempt Proceedings

Chairman Fly instructed the Law Department, after the names of the subpoenaed witnesses had been called and failed to respond, "to proceed forthwith to enforce its subpoenaes". Mr. Hanson said he stood on his original statements challenging jurisdiction but would not elaborate as to how he would combat the proceedings, presumably looking toward contempt.

It was indicated the FCC attorneys would proceed this week in the U. S. District Court for the District of Columbia, to enforce the subpoenas. Likelihood of long-drawn-out litigation on the validity of the subpoenaes, plus the question of the FCC's jurisdiction to cite newspapers, press associations or any phase of the press for hearing under the Communications Act unquestionably will be raised.

Press Association Probe

The Commission ran through the press association phase of its case Friday. While having no direct bearing on the question of newspaper ownership, the nature of the interrogation caused some wonder. Emphasis was placed upon formation of the Press Radio Bureau, financed by the major networks in 1934 to supply sustaining news in capsule form.

Witnesses also were asked about minutes at Press Radio meetings, quoting high officials in the press service field to the effect that so-called "outlaw" competitors should be "squashed" to prevent them from serving radio in such fashion as to become competitors of the existing press associations. A big play was made on the term "outlaw", both in the direct examination and by industry attorneys, seeking to prove that it had to do with literal "pirating" of news.

Additional tabulations of errors and far-fetched ties in the FCC's purported newspaper-ownership list will be found on page 18.

Anti-Trust Buildup

Whether the FCC was seeking to lay a foundation for ultimate anti-trust proceedings against the press association cropped up in more than one mind.

Thrown into the record were extensive minutes, memoranda and committee reports dealing with radio activities of ANPA dating back to 1932, when the press-radio war was on in earnest and radio program listings were banned in many papers on other than a paid advertising basis. Then, with James W. Barrett, editor-manager of the now inactive Press Radio Inc., on the stand, minutes of the meetings of that operation from its formation in 1934 until its demise as a functioning service in about 1937 were examined.

Important Figures Appear

Parading before the Commission during the Friday meeting were big names in radio and journalism. A surprise witness was M. H. Aylesworth, first president of NBC and, according to his own description, now engaged in "specialized practice of law and Government activity". He told of his efforts to get news on the air as a public service and said that his prophecies "had come true". Others who testified in quick succession were Paul White, director of public affairs of CBS; J. V. Connolly, president of King Features, and of its subsidiary INS, and Lloyd Stratton, assistant general manager of AP.

In adjourning the sessions until Sept. 17, Chairman Fly expressed the hope that counsel would "cooperate" in the preparation of data and not waste time. He suggested to all parties that when the inquiry reconvenes it should be able to "proceed to a conclusion".

No Evidence Produced

Despite the forays of its recently organized investigating force into newspaper-station, press association and network files to gather fodder for the inquiry, the sum total of the evidence thus far adduced failed to produce any evidence that newspaper ownership results in monopoly in public opinion or in unfair competition. And the voluminous exhibits prepared by the FCC's staff, designed to show that newspapers in combination with stations get all the business breaks and deter their competitors from making money, failed to make the grade because of the obvious errors in them. The upshot was that the Commission's exhibits were simply "marked for identification" and not admitted in the record.

FM Needs Press Capital

Radio's newst service—FM—went to bat 100% against the Order No. 79 which is the springboard for the inquiry to ascertain what regulations, if any, or what legislative recommendations, if any, should be made to Congress to prevent newspapers from owning or in the least wise being associated with standard or FM broadcast stations. Both FM Broadcasters Inc. and American Network Inc., the projected cooperative 40-major-market FM operations, told the Commission FM development would be retarded and probably scuttled if newspapers are not permitted to get in on the ground floor.

John Shepard 3rd, president of FM Broadcasters Inc., told the Commission frankly and simply in just 12 minutes of testimony last Thursday that newspapers are an integral part of FM development—this despite the fact that he has no newspaper affiliation in his Yankee or Colonial network and station operations. Urging a prompt decision on the newspaper-ownership issue, he said that the development of FM has "without question been retarded by the issuance of Order 79".

In the same groove, John R. Latham, executive vice-president of American Network Inc., told the Commission that in his judgment the whole project will flounder unless newspapers are participants. The 40-station network project, he said, stands to lose money for two years anyway, but it can't get started until newspapers are permitted to partcipate because they are the only applicants in several basis markets.

Statistics Challenged

Another FCC bubble was exploded when the higher-mathematical calculations of the FCC's Accounting Department, handled by DeQuincy V. Sutton, head broadcast accountant, were challenged. That was because of the fallacious base on which they were computed, since the very first exhibit offered by the Commission was a table showing 298 stations affiliated with newspapers. These included, for example, such stations as WLW and WHO, which are not newspaper-controlled in any sense. Because of their higher bracket incomes, the computations both as to gross time sales and network earnings of so-called newspaper stations, opposing counsel contended, were thrown out of kilter. And Chairman Fly, as well as his colleagues, apparently thought enough of this contention to prevent the exhibits from going in as actual testimony.

What apparently was to have been the high spot of the Commission's case—the so-called Charleston situation—amounted to nothing better than a dew. There the only two newspapers—the *News & Courier* and the *Post*—own one of the two stations, WTMA. The newspapers consistently had refused to carry the opposition station's program schedules, and John M. Rivers, president of WCSC, has been a vociferous complainant about this monopoly.

Didn't Hurt Business

While Mr. Rivers himself said he had found that this condition was "unique" in radio, in that most newspapers owning stations carry programs of competitors, he nevertheless developed under cross-examination that his business is better than ever before and that the "unfair competition" really hasn't hurt him economically. For example, under cross-examination by former Judge Thomas D. Thacher, chief counsel for the Newspaper-Radio Committee, he admitted that the gross income from 1939 to 1940 had increased 22% and his net profit no less than 858%—from $1,303 to $12,492.

Harris Asks Questions

There were questions by Commission Assistant General Counsel Thomas E. Harris, contrived to show that the press associations dealing with radio indulged in price-cutting and that newspapers, by exclusive contract, attempted to block press association service to competitive stations. But it didn't seem to jell that way under cross-examination of the Newspaper-Radio Committee of Louis G. Caldwell, counsel for the *Chicago Tribune's* WGN, and of Ben S. Fisher, attorney for WTMA and the Charleston newspapers.

Tables Challenged For Errors in List

The Commission held only a morning session Wednesday, July 30. Sitting were Chairman Fly and Commissioners Craven, Walker and Wakefield.

Before Mr. Sutton resumed his explanation of exhibits introduced at the final session July 24 [BROADCASTING, July 28], Sydney M. Kaye, associate counsel for the Newspaper-Radio Committee, challenged all of the tables, on the ground that they were based on the initial exhibit introduced by the Commission, showing 298 newspaper-owned stations. A cursory examination of this initial table, he said, revealed many errors. He pointed out there were some 17 stations listed as newspaper-affiliated in which it had been ascertained newspapers had sold their interest.

Moreover, Mr. Kaye contended, there were listed two 50,000-watt stations (WLW and WHO) which

(*Continued on page 44*)

House Approval of Radio Tax Likely

Hope for Defeat Of Sales Levy In Senate

WITH House passage of the 1941 Revenue Bill, incorporating a 5-15% tax on stations' and networks' net time sales of $100,000 annually an over, scheduled for Aug. 4, the radio industry and other opposition forces are making plans for an all-out fight against the levy in the Senate, with considerable hope seen for success.

The Senate Finance Committee intends to start public hearings on the tax measure within a few days after House passage, certainly not later than the following week, according to the Committee's new chairman, Senator George (D-Ga.)

Despite apparently growing Ways & Means Committee support for deleting the radio tax during the last week, it appeared Friday that there was little chance that the committee would rescind its last-minute recommendation for the levy and allow the House to vote it out of the general tax bill. It is understood that a committee vote on deleting the radio tax last Monday stood 7 for and 10 against. With support of 13 of the 25 Ways & Means members necessary to knock out the provision, other votes later in the week indicated that support had risen to 10 members, and finally to 11, at last report.

Majority Lacking

However, on Friday, with no further committee meetings definitely scheduled, the necessary majority still was lacking. Since the measure stood on the House floor under a rule allowing only committee-approved amendments, the door appeared to be locked on any change in the bill beyond three minor amendments reported out by the committee and possibly a change in the joint-return requirement affecting individual income levies.

Under tentative schedule, the Senate Finance Committee on Aug. 6 will start executive sessions to develop an explanation of the complicated tax bill. If these sessions can be concluded in two days, as is expected, Secretary of the Treasury Morgenthau would be the first witness in the public hearings tentatively set for Friday, Aug. 8. Following Secretary Morgenthau and other Treasury officials, among them presumably John L. Sullivan, Assistant Secretary, other parties are to be heard starting Monday, Aug. 11. The committee indicated that this tentative schedule would be pushed back accordingly if executive sessions lasted longer than the expected two days.

Observers in radio circles drew considerable satisfaction from the decision of Senator George to assume the chairmanship of the Senate Finance Committee, surrendering his top spot in the Senate Foreign Relations Committee to do so. It was remarked that Senator George is known to mirror the tax philosophy of the late Chairman Pat Harrison, who regularly rewrote House tax bills in their entirety when they reached the Senate. Looking to this possibility, observers averred that this probably increased the chance that the radio tax provision would be deleted from the bill in the Senate.

Also it was felt that if the Senate wrote the provision out of the bill, it likely would be kept out in conference. It was understood that Chairman Doughton, of the Ways & Means Committee, is included in the sizable committee group opposing the radio tax, and it was thought his opinion would weigh heivily on the House side of the conference.

NAB Board to Meet

The NAB, which has retained Ellsworth C. Alvord, Washington tax attorney, to handle the broadcasters' case at the Senate hearings, has scheduled a board of directors meeting for Wednesday and Thursday, Aug. 6 and 7, to review the situation and develop plans for carrying the fight against the tax. In addition to the NAB, National Independent Broadcasters will be represented at the proceeding, according to President H. A. Lafount, who called for cooperation of all broadcasters, big and small, in fighting the levy. Broadcasters also have been contacting their Congressmen and Senators, emphasizing the discriminatory nature of the proposed tax and calling for action in eliminating it, or at least making tax increases applicable to newspapers and other advertising media than radio and billboards.

Evidence that active opposition has developed for the proposed tax on billboards, also provided in the bill, was seen in Ways & Means action in approving an amendment spreading out the tax by modifying taxable size limits of signs. However, the committee did not agree to eliminate the proposed sign-board levy, apparently disregarding pleas of discrimination entirely.

Opponents and Proponents

Although there has been no revelation of all the supporters of radio's case on the Ways & Means Committee, it is known that one of the chief opponents of the broadcast tax in committee has been Rep. Gearhart (R-Cal.). A leading proponent of the tax is understood to be Rep. McGeough (D-Ill.), who had pushed the proposal in committee for some time, and who is understood to favor taxing newspapers as well as radio.

Although the proposed tax has the backing of the International Allied Printing Trades Assn., whose president, John B. Haggerty, early during the House hearings advocated a broadcasters' franchise tax [BROADCASTING, Feb. 24, March 24, May 26, June 2, June 9, July 7], the NAB indicated that the American Federation of Iabor has noti-

(*Continued on page 38A*)

How the Proposed Time Sales Tax Might Have Affected 1940 Income

(As prepared by Paul F. Peter, NAB director of research)

Time Sales Group	*No. of Stations*	*Net Time Sales Retained*	*Rate of Tax*	*Amount of Tax*
1,000,000 or more	8	$12,301,466	15%	$1,845,220
500,000 to 1,000,000	42	26,651,476	10%	2,665,148
100,000 to 500,000	188	39,555,996	5%	1,977,800
Total	238	78,508,938		6,488,168
3 National Networks		33,275,943	[1]15%	4,991,391
5 Regional Networks		771,883	[2]5%	38,592
Total		$112,556,714		$11,518,151
Industry Total	765	$133,964,769		

[1] Assumes all 3 national networks have retained tine sales over $1,000,000.
[2] Assumes all 5 regional networks have retained time sales of over $100,000 but less than $500,000.

Editor's Note—Projecting an expected 15% increase in time sales during 1941, the amount of the proposed tax would reach approximately $13,250,000. If a 5% increase is projected for 1942, the tax would amount to about $13,900,000.

Text of House Report Favoring Radio Sales Tax . . .

Following is the full text of that portion of the report of the majority of the House Ways & Means Committee, made public July 26, relating to the special excise tax on broadcast stations and networks:

Your committee have imposed a tax for calendar years beginning after Dec. 31, 1941, upon every person who during the year operates a radio broadcasting station or engages in network broadcasting.

The desirability of a special tax on radio broadcasting (distinct from a tax on advertising, one medium for which is radio) is indicated by several considerations.

'Valuable Free Privilege'

1. Radio broadcasters are the possessors of a valuable privilege awarded to them free of charge, on the condition that they operate in the public interest. Because of the technical limitations of the broadcasting band, the number of commercial broadcasters at any one time is for all practical purposes limited. In consequence, the right to operate a broadcasting station in particular areas carries with it a measure of monopolistic privilege and the opportunity for an extremely profitable investment. Through the exercise of that privilege and the exploitation of that opportunity, many broadcasters make substantial profits and virtually all broadcasters derive less tangible benefits in the form of publicity and goodwill.

2. The principal operators in commercial broadcasting earn high rates of return on relatively small investments. They possess unusual taxpaying ability which, in view of the Government's present revenue requirements, can properly be subjected to special taxation.

3. Radio broadcasting requires public regulation. Such regulation is provided at public expense, with great benefit to the industry but without any special costs to that industry.

Up to 15% of Gross

The tax imposed is to be equal to a given percentage of net time sales made during the year. A net time sale is in effect defined as the gross amount received or accrued from the sale of radio time, not including the amount of any commission (not to exceed 15% of the gross amount) paid to or deducted by an advertising agency, and minus any amount paid by the taxpayer, pursuant to the sale by him, for broadcasting time to other persons operating radio stations or engaged in network broadcasting.

Taxpayers are divided into three classes, with rates prescribed as follows:

(1) If the net time sales are in excess of $100,000, but not in excess of $500,000, 5%.

(2) If the net time sales are in excess of $500,000, but not in excess of $1,000,000, 10%.

(3) If the net time sales are in excess of $1,000,000, 15%.

How Tax is Applied

The rate prescribed with respect to each class of taxpayer is applicable to the entire amount of the net time sales for the taxable year. The act provides, however, that the liability of a taxpayer in one classification cannot exceed the maximum liability under the next lower classification, plus the amount of the taxpayer's net time sales in excess of the maximum net time sales taxable under the lower classification.

For example, the tax in the case of a taxpayer with net time sales of $500,000 would be at the rate of 5% of the net time sales, or $25,000. Except for the above notch provision, if the net time sales were $500,001, the rate would be 10% of the net time sales, or $50,001.10. By reason of the notch provision, the tax in the latter case would be $25,000 plus the net time sales in excess of $500,000, or $1, making the tax in the latter case $25,001.

If the net time sales do not exceed $100,000 no tax is imposed.

Fly NIB Convention Keynoter

Extraordinary Meeting Called Sept. 22-23 In Chicago

WITH FCC Chairman James Lawrence Fly as the keynoter, an extraordinary convention of National Independent Broadcasters will be held in Chicago Sept. 22-23 to canvass the whole regulatory and business outlook for independent stations in the light of the war emergency.

Called by NIB President Harold A. Lafount, former Radio Commissioner and executive of the Bulova group of stations, the convention will be open to all independently-owned stations, whether or not they are network-affiliated, it was learned. All told, it is expected invitations will go to some 450 stations. Nearly half of the NIB membership is now made up of network outlets.

Tentatively, it is planned to hold the convention at the Palmer House. Edwin M. Spence, secretary-treasurer of WWDC, Washington, who functions also as NIB managing director, is handling preliminary plans, with Mr. Lafount and Andrew W. Bennett, NIB general counsel.

National Defense Aspect

While the agenda for the two-day meeting has not been finally worked out, Chairman Fly definitely is scheduled as the principal speaker on September 22. Because of the importance of radio in national defense, the FCC chairman, who also is chairman of the Defense Communications Board, is expected to arrange for addresses by Army and Navy spokesmen.

Another key speaker is expected to be Ed Craney, militant head of KGIR, Butte, and the Z-Bar Network. He is an advocate of abolition of the NAB and creation of a new trade association of independent station owners [BROADCASTING, July 21-28].

Aside from national defense, the agenda is expected to cover the projected new network monopoly rules and the bearing they will have upon independent stations; the over-all tax situation; copyright, and prospective new legislation to supplant the Communications Act of 1934.

Because of Chairman Fly's complete break with the NAB at the annual convention in St. Louis last May, unusual significance attaches to his scheduled presence at the NIB sessions. Both publicly and privately, Chairman Fly has condemned the NAB as a "so-called trade association"; flayed its president, Neville Miller, and his immediate predecessor, Mark Ethridge of WHAS, Louisville, as the "Louisville twins", and in effect has broken off all relations with the group as such.

Tempers were lost and discretion was thrown to the winds at the St. Louis sessions and a number of broadcasters, including key station members of MBS, have resigned from the NAB in protest over the affair, alleging, among other things, that Chairman Fly had been "insulted".

MBS Pickups

It is understood that MBS has agreed to pick up from the NIB convention a portion of the banquet entertainment. It is probable, also, that a portion of Chairman Fly's address will be broadcast over that network.

In some quarters it was thought that the convention might evolve into an industry-wide movement to reorganize it as an all-inclusive trade association. Networks or network-owned and operated stations are not entitled to membership in the organization—one of the major complaints from those espousing a full-scale reorganization of NAB.

During the last year NIB has maintained headquarters in the Edmonds Bldg., Washington. Mr. Lafount has been president for the last three years. Edward A. Allen, WLVA, Lynchburg, is first vice-president and Lloyd C. Thomas, KGFW, Kearney, Neb., secretary-treasurer.

B & A for Swan

ALTHOUGH Lever Bros., Cambridge (Swan soap), has signed George Burns and Gracie Allen, with Paul Whiteman's orchestra, for a fall series, network and starting date have not been decided. Young & Rubicam, agency servicing the account, is reported as shopping around for the best available network night time, with both NBC and CBS bidding for the series. Weekly variety show will also include a male singer and guest talent, with a new working formula for Burns and Allen.

FIRST course in radio at Harvard is being directed during the present summer session by Charles A. Siepmann, former director of program planning of the British Broadcasting Corp.

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IT'S been coming through the air in dots and dashes, and now it's an organ. KROD, El Paso, at frequent intervals throughout the day has its studio organ sing out the International and Morse code for V. This is followed by the opening measures of Beethoven's Fifth Symphony, the notes of which have the same beat as the code symbols. At other times the word "victory" is spelled out in code.

ANPA Issues Brochure On Advertising, Buying

OFFICIAL statistics which show "surprisingly little variation from month to month" in salaries and wages in retail sales generally and in purchases of foods, drugs, cigarettes, gasoline and railroad tickets are cited by the Bureau of Advertising, American Newspaper Publishers Assn., in a new promotion piece, *They Don't Stop Buying*.

Bound in board covers which are topped by outer covers of transparent plastic and attractively illustrated with drawings, photographs and charts, the volume drives home the point that "Folks don't stop buying. They buy things consistently, the year round. Consumption is steady, month after month. The business is there 12 months of the year. So why stop advertising for your share? Why advertise *spasmodically* when consumers buy *steadily*?" Book includes a number of stories of national advertisers who have achieved sales success from consistent advertising in newspapers, but the moral holds just as well for radio.

Alcorn Injured

W. C. ALCORN, general manager of WBNX, New York, was injured in a freak train accident last week, and although back at work, is limping on a badly bruised leg. A stone was knocked into the open door of the car in which he was riding, striking him in the ankle.

WISH Begins Operation As NBC-Blue Affiliate

WITH Col. Roscoe Turner, famed air pilot, as master of ceremonies, the new WISH, Indianapolis, formally went into operation last Saturday with a special salute from the NBC-Blue, with which it is affiliated. Open house was held for the public all day long at the new studios on the second floor of the Board of Trade Bldg.

Manager of the new station is William H. Behrman, who for nine years prior to his affiliation with WISH was vice-president and general manager of WBOW, Terre Haute. Owners of WISH are C. Bruce McConnell, sales manager of a tobacco and candy distributing firm, president, 33% stockholder; Alvin R. Jones, auto distributor, vice-president, 14%; Edward W. Harris, president of the candy and cigar distributing firm, treasurer, 33%; and four other business men each holding 5%. WISH operates on 1310 kc. with 5,000 watts day and 1,000 night.

Shoe Stores Expanding

NATIONAL SHOE STORES, New York (chain), on Sept. 1, due to the success of its spring campaign on WNEW and WOV, New York, and WAAT, Jersey City, is expanding its schedules on those stations for the forthcoming season and adding WOR, New York, to the list. The company has signed a contract for once-a-week participation on the WOR *Uncle Don* program, using Friday 6-6:30 p.m. to promote the sale of children's shoes. Agency is Emil Mogul Co., New York.

Oneida Local Discs

ONEIDA Ltd., Oneida, N. Y. (Community Plate silverware), thru its agency, BBDO, New York, has cut ten 50-second transcriptions for distribution throughout the country to jewelers handling its product. The discs, tying in Community Plate with a short love scene, are for use on local stations to be selected at the discretion of the jewelers themselves. The 10 seconds remaining are for local tie-ins. Columbia Recording Corp. cut the discs.

HUGH FRANCIS McKEE, operator of the Clinton Theater in Portland, Ore., has applied for a local station in that city, 250 watts on 1450 kc., the facilities vacated by KXL.

DRINKING (THE SPONSOR'S PRODUCT) to the success of the newest addition to WSM's *Grand Ole Opry*, now in its 16th year on the Nashville station. The new sponsor is Nehi Corp., advertising Royal Crown Cola, and in this photo (l to r) are Winston Dustin, WSM salesman; George Bliss, BBDO account executive; Pee Wee King, Ford Rush, Smilin Eddie, San Antonio Rose, Fiddlin' Red, Cowboy Joe, Uncle Dave Macon, Dorris Macon, Louie Buck and the Solemn Ole Judge, George Hay.

Net-Monopoly Talks Hit Snag; Fly Conversations To Resume

Time Option Understanding Appeared Forming, But NBC Fails to Agree with CBS and MBS

INFORMAL conversations between executives of the major networks and FCC General Counsel Telford Taylor, looking toward revision of the far-reaching network monopoly regulations on an amicable basis, hit the rocks again last Wednesday. Conversations will be resumed with FCC Chairman James Lawrence Fly Monday (Aug. 4), with no predictions hazarded as to the outcome.

Since the FCC July 21 authorized a postponement of the effective date of the controversial regulations from Aug. 2 until Sept. 16, the network executives have carried on their conversations with General Counsel Taylor and his assistants. Several times it appeared that an understanding had been reached on the beleaguered time option issue—practically the only one thus far discussed in detail—but conferees practically gave up on it Wednesday night after an almost continuous two-day session and decided to confront Chairman Fly again.

NBC in Opposition

A formula on time options tacitly agreed to by CBS and MBS but opposed by NBC, because of the effect it might have on the Blue, slated ultimately to be sold under the rules, proved the stumbling block that sent the conferees back to Chairman Fly.

While there is still a race against time involved in revising the regulations, it was thought there is a better than even chance that an agreement will be reached shortly, possibly during this week. Chairman Fly is under virtual mandate from Senator Wheeler (D-Mont.), Chairman of the Senate Interstate Commerce Committee, to get something feasible worked out and to give the industry ample time.

White Resolution Pends

The White Resolution, which would have the effect of holding up all of the eight allegedly punitive rules, still is pending before the Senate Interstate Commerce Committee and the hearings are still in recess, subject to call of the chair. If no agreement is reached, it is assumed Senator Wheeler would be disposed to crack the whip and attempt to accomplish something in Congress.

The conferees have been Niles Trammell, president, and William S. Hedges, stations vice-president, for NBC; William S. Paley, president, and Edward Klauber, executive vice-president, for CBS; Fred Weber, general manager, and Louis G. Caldwell, general counsel, for MBS; and Mr. Taylor and Thomas E. Harris or Seymour Krieger, for the FCC. Sessions were held on Thursday and Friday, July 24-25, resumed Tuesday, July 29, and continued through Wednesday, July 30. Practically all the time was devoted to consideration of various formulas in connection with time options.

Blocked Time Units

The proposal on which there seemed to be the closest approach to unanimity was one based largely on what is described as "per use". Under it, four out of each five-hour block would be available for network option in all cities having four or more fulltime stations. But in cities having less than four stations, this formula would result in rigorous competition between NBC-Blue and MBS.

CBS and NBC-Red would not be materially affected, it was indicated, since their present commercial time commitments would be sufficient to accommodate their requirements. Options would be available more than a year hence, based on time used during current peak periods. In the case of the Blue and MBS, these networks would be permitted to option time based on present usage on outlets available.

The net result, under such a formula, would be that MBS and the Blue in effect would acquire options on the third outlets in each market, based on the commercial time they currently have placed in those markets.

Evidently the NBC position is that this would not result in an equitable situation for the Blue, because of the relatively small amount of business now sold on it. They would control future time options under this formula.

While there has been little discussion of the other rules, no serious complications are expected immediately. The outlook is for two-year affiliation contracts, which would run concurrently with a projected new two-year station license tenure. Chairman Fly has hinted that a two-year license is in the offing.

As for the disposition of the Blue network by NBC, Chairman Fly under the spur of Senator Wheeler and other members of the Interstate Commerce Committee, has stated that ample time will be given to permit "orderly disposition of properties". The same holds for possible disposal by the networks of stations which they own or lease in markets other than New York, Chicago or Los Angeles-San Francisco. As a matter of fact, the latter situations presumably will be handled on their individual merits after litigation and hearing, if that is deemed necessary.

New Plant of CBS Key Station WABC

A MILE OFF New Rochelle, N. Y., on tiny Pea Island in Long Island Sound, the new transmitter of WABC, New York, has been completed, and will be used for broadcasts early this fall. The 300-foot tower rests on a concrete platform constructed by WABC engineers as the island itself was nothing more than a group of jagged rocks barely projecting out of the Sound at high tide.

Fall Milk Campaign

NEW YORK STATE MILK PUBLICITY BUREAU, Albany, will start its fall campaign about Sept. 29, using three to five participations weekly on home economic programs on about 18 stations in New York state. Campaign will stress the theme that milk "satisfies thirst—fortifies health." Agency is J. M. Mathes, New York.

COURT DISMISSES ROGAN JONES SUIT

ROGAN JONES' injunction action against Pacific Broadcasting Co. Northwest segment of the MBS-Don Lee network [BROADCASTING, July 28], was dismissed by Judge Joseph A. Mallery in Tacoma Superior Court last Thursday. The judge's order dismissed the case with prejudice and without cost to the defendant. The two Jones stations — KVOS, Bellingham, and KPQ, Wenatchee—will continue for the present on the network "as strictly spot outlets," according to Carl E. Haymond, president and general manager of Pacific.

Interpreting the projected FCC network regulations on time options, Jones cancelled certain Mutual programs in favor of locally originated shows and his contract with the network was thereupon cancelled. Upon issuance of a temporary injunction, service was resumed pending the hearing on a permanent injunction.

Jensen to Grant

JOHN C. JENSEN, formerly radio research assistant of Blackett-Sample-Hummert, Chicago, and more recently in charge of Latin American operations for H. N. Elterich Export Adv. Agency, New York, has been appointed vice-president and assistant to David Echols of Grant Adv. S. A., Mexico City. Mr. Jensen will divide his time between the Grant offices in Mexico City and Monterrey and will serve as account executive for the agency's clients throughout Mexico.

Skelly Signs Utley

SKELLY OIL Co., Kansas City, Mo., has signed Clifton Utley to conduct the Skelly early morning news commentary, heard Monday through Friday on 18 NBC-Red Midwest stations. Mr. Utley succeeds the late Capt. E. D. C. Herne. Decision was made after Mr. Utley had a three-week trial period handling the newscast. Contract will run through Dec. 16, with a five-year option. Agency is Henri, Hurst & McDonald, Chicago.

"YOU'RE BEST BY 1/5TH OF A SECOND!"

● Yes, Clementine—your admiration is absolutely typical: Lots of guys do a hundred yards in 9-4/5 seconds. But nobody cares—we're all too busy screaming for the *one* fellow who does it in 9-3/5!

And it's the same way with radio stations. Give any one station even a slight edge in its territory, and the also-rans don't have much trouble fighting off the fans!

In Iowa, for instance, 59.5% of the State's nighttime listeners "listen most" to WHO—while all other Iowa commercial stations get only 11.7%!

These figures are from the new 1941 Iowa Radio Audience Survey—based on personal interviews with 9,246 representative Iowa families. . . . If you'll spend about thirty minutes with this authoritative Survey, we think you'll get some new and valuable ideas about how to make your Iowa advertising money really bring home the bacon. A copy is waiting for you, right here.

WHO

+ *for* IOWA PLUS! +

DES MOINES . . . 50,000 WATTS

J. O. MALAND, MANAGER

FREE & PETERS, INC. . . . . National Representatives

Seek 10,000 Watts Day for Regionals

Petition Amending Power Rule Will Be Filed By WIBW, WCHS

A MOVE toward the reclassification of power ratings of regional stations, to permit use of 10,000 watts daytime, as against the present 5,000-watt maximum, already has gotten under way, with first applications to be filed within the next fortnight.

Designed to permit horizontal increases in daytime power on regional channels to 10,000 watts, the preliminary petition also will seek amendment of the existing rules, limiting power on Class III-A channels to 5,000 watts day and night, and on Class III-B channels to 5,000 watts day and 1,000 night. A skeleton petition, to be filed in the interests of all regional stations, will propose amendment of the existing rules as a means of broadening rural and semi-rural coverage during daytime by regional outlets.

WIBW, WCHS File

In the forefront of the new move are WIBW, Topeka, and WCHS, Charleston, W. Va., which operate on 580 kc. Karl A. Smith, counsel for WIBW, and Ben S. Fisher and Charles V. Wayland, counsel for WCHS, will file the applications. General engineering data is being compiled by Andrew D. Ring, former assistant chief engineer of the FCC, now senior member of Ring & Clark, consulting engineers.

Under the revised FCC rules of just two years ago, regional stations were permitted, where engineeringly feasible, to use 5,000 watts fulltime as Class III-A outlets. Approximately 125 stations already have been licensed or hold construction permits for this output. Simultaneously, local stations, as of Aug. 1, 1939, in conformity with the provisions of the Havana Treaty, were permitted to go to 250 watts where engineeringly feasible.

40% Better Coverage

It is estimated that with the increase to 10,000 watts daytime, coverage will be improved approximately 40%, primarily in rural or semi-rural areas. Very few questions of interference are involved, except as to adjacent channels, and existing antennas can be used in virtually all cases, it was stated.

To increase a 5,000-watt modern transmitter to 10,000-watt output would require remodeling of amplifier and rectifier stages at costs ranging from $5,000 to $15,000, according to engineering opinion.

John A. Kennedy, general manager of WCHS, and Ben Ludy, directing head of WIBW, have been in Washington during the last two weeks to complete preliminary plans for the applications and petition. It is expected that the petition, setting forth engineering applicable not only to these two stations but to the entire regional classification, will be filed jointly by the two stations. Whether the FCC would hold a hearing on the advisability of amending the rules and also of effecting an exchange of notes with the nations signatory to the Havana Treaty, to permit the increase, is a discretionary matter.

Treaty No Obstacle

Since the Havana Treaty allocations, which became effective last March 29, do not preclude advancements in the technique of broadcasting, it is presumed there would be no serious difficulty involved in procuring ratification, possibly by exchange of notes, of the increase of daytime regional power.

It is understood the proposal has been checked with the FCC Engineering Department and with Chairman James Lawrence Fly and Commissioner T. A. M. Craven, the latter chairman of the American delegation which devised the Havana Treaty, who is a practical engineer. Both are understood to be inclined to favor the project.

Because of the national emergency, the Government naturally is interested in widest possible coverage, particularly in the underserved rural areas. While the daytime power increases for regionals would not help nighttime coverage, it nevertheless would be of advantage, it is pointed out. Daytime listening, according to recent surveys, has increased substantially and advertisers are more conscious of the value of daytime programs than ever before.

Expanded Trading Areas

Moreover, trading areas contiguous to cities in which many regional stations are located have been expanded and the daytime power boost, it is contended, would deliver a usable signal to a substantial portion of this adjacent area and correct what is regarded as an obvious deficiency.

Rural coverage at night largely is dependent upon clear channel stations. A number of applications now are pending for increases in power on I-A clear channels from the present maximum of 50,000 to 500,000 watts or more. WLW, for example, is seeking 650,000 watts [BROADCASTING, July 7].

WITHYCOMB MAKES LATIN RADIO STUDY

DONALD WITHYCOMB, assistant to M. H. Aylesworth, chairman of the Radio Division of the Rockefeller Committee, left last Friday for South America to make an exploratory study of radio conditions there in connection with activities of the committee.

Mr. Withycomb, former general manager of WFIL, was accompanied by Edward Tomlinson, noted author and NBC advisor on Inter-American affairs, who is expected to broadcast from several South American points on general conditions.

During his trip, Mr. Tomlinson will continue his regularly scheduled NBC-Blue Network commentaries by shortwave pickup Saturdays and Sundays, 6:45-7 p.m. EDST. A veteran of nearly two decades in broadcasting, Mr. Withycomb joined the Rockefeller Committee last April as assistant to Mr. Aylesworth. Mr. Tomlinson during the trip expects to join John F. Royal, NBC vice-president in charge of international relations and new developments, who is now on a 20,000-mile air tour of Latin America [BROADCASTING, July 21].

Spots for Fruit Crops

BRITISH COLUMBIA Fruit Board, Vancouver, B. C., is using spot announcements on a number of Canadian stations for the rapid marketing of this year's apple, plum, apricot, and cherry crops, the spots being used as the various crops ripen. Account is placed by Canadian Adv. Agency Ltd., Kelowna, B. C.

PAUL SCHUBERT, MBS military and naval authority, is writing a book, *The New Sea Power*, for fall publication by Coward-McCann, New York.

COLGATE-PALMOLIVE-PEET executives joined in a "mock war" party staged by Selena Royle July 18 to celebrate the second anniversary of her CBS *Woman of Courage* program and at the same time raise money for the USO fund. Pictured (l to r) are: Hugh McKay, C-P-P director of advertising; Mrs. Savington Crampton and Savington Crampton, C-P-P advertising manager handling Colgate toothpaste and shaving cream and Super-Suds; Hostess Selena Royle; Edward Longstreth, C-P-P director of radio.

Power Increases For Five Stations

Two Others Get Added Time; WAGA Jumped to 5,000

AN INCREASE in status for WAGA, Atlanta Blue Network outlet, was authorized last Tuesday by the FCC. The station was given a construction permit to change frequency from 1480 to 590 kc, increase power from 500 watts night, 1,000 watts day, to 5,000 watts fulltime and install new equipment with a directional antenna for nighttime use.

KVOD, Denver, was granted a construction permit to install a new transmitter and increase its power from 1,000 watts to 5,000 watts, with changes in its directional antenna for day and night use. It operates on 630 kc.

KUTA, Salt Lake City, was granted an increase in day power to 5,000 watts, as against its present assignment of 250 watts unlimited time on 570 kc.

KMYR, Denver, was granted a modification of license to increase its night power from 100 watts to 250 watts fulltime.

WGES, Chicago, was granted a modification to increase time of operation to unlimited on 1390 kc, with 500 watts night and 1,000 watts local sunset. The station holds a construction permit for 5,000 watts fulltime.

KTKC, Visalia, Cal., was granted a construction permit to shift from 920 to 940 kc. and increase power from 1,000 to 5,000 watts day and night, with changes in its directional for day and night use. The application was granted upon condition that the station would take care of all "blanketing" complaints.

WHIP, Hammond, Ind., was granted renewal of license and a construction permit, subject to certain engineering requirements, to change hours of operation from specified to unlimited and install a directional antenna for day and night use on 1520 kc.

KGFI License Granted

KGFI, BROWNSVILLE, Tex., last Tuesday was granted a regular renewal of license by the FCC for the period ending Dec. 1, 1941, in lieu of the temporary license under which it has been operating because of the revocation proceedings instituted last year against it and five other Texas stations which had been cited because of purported concealed ownership by Rev. James G. Ulmer. The Commission said the station had now furnished it with evidence of the fact that Rev. Ulmer "has been completely eliminated from any connection whatsoever with the station and will not in the future be associated or connected therewith".

KEN DOLAN has bought out his partner, Jim Doane, in the Hollywood radio talent agency of Dolan & Doane Inc., for a reported $10,000. Dolan will continue for the time being to operate under the present firm name, with headquarters at 8905 Sunset Blvd. Doane is to announce his new affiliation shortly.

TWO BIG POWER INCREASES IN TEXAS' BIGGEST MARKET

DAY AND NIGHT

HERE'S important news about Texas' biggest market! Station WRR, Dallas and Station KFJZ, Fort Worth have each increased their power to 5,000 Watts, day and night;

and these two new power stations may now be bought in combination for what you would expect to pay for one 5,000 Watt station in this market.

Here is what you get . . .

1. Two, full time, 5,000 Watt stations on two different frequencies — WRR—1310 K C , KFJZ—1270 K C.
2. Each with a powerful signal throughout the entire Fort Worth-Dallas market.
3. Both stations connected by permanent lines for broadcasting simultaneously or at different times — but at only one talent cost.
4. Both stations affiliated with the Texas State Network and the Mutual Broadcasting System.

The best way to get ***complete*** coverage in this highly selective market is to use ***both*** WRR, Dallas and KFJZ, Fort Worth. Two important, all-time stations for you at one price and one talent cost.

NATIONAL REPRESENTATIVES

WEED and COMPANY

NEW YORK CHICAGO DETROIT SAN FRANCISCO

RCA'S ALERT RECEIVER gets its first public tryout in New York last Monday, turning on automatically as it receives a special inaudible signal from WJZ and shutting off when the all-clear is flashed. Left photo shows Mayor LaGuardia (right) participating as National Director of Civilian Defense while David Sarnoff, RCA president, explains the operations of the set. In right photo Capt. John J. Martin (seated), of the New York Police, assumes the role of civilian defense warden as he pushes a button in Radio City to turn on the Alert Receiver at LaGuardia Airport. With him is Arthur Feldman, NBC special events man.

Proposes Setting Up Pan American Radio Union Similar to Europe's IBU

SUGGESTION that a link between the Americas be formed under the title Pan-American Broadcaster's Union (PABU) was made July 24 by John F. Royal, NBC vice-president in charge of international relations, during his acceptance speech as an honorary member of the Brazilian Broadcaster's Assn. in Rio de Janeiro.

Modeled along the lines of the International Broadcasting Union, successful in Geneva until the present European war, the PABU would be non-commercial in character, serving to centralize the study of all questions concerning the development and operation of long and shortwave broadcasting in the Western Hemisphere, according to Mr. Royal.

Exchange programs between the Brazilian Government and NBC also have been arranged by Mr. Royal with Lourival Fontes and Julio Barata, general director and director respectively of "Imprensa e Propaganda." Mr. Royal gave a talk in Rio before the American Chamber of Commerce on "Shortwave Broadcasting and Its Responsibility in the Building of International Goodwill."

Loew's Includes Radio

LOEW'S Inc., New York, on July 29 announced an advertising budget of $2,500,000 for 1941-42. Radio, as in the past, will get its share through spot announcements placed on local stations for the promotion of particular pictures. Howard Dietz, executive in charge of promotion, was unable to say just what percentage of the budget might go into radio though he indicated that for the greater part, the money would be spent for newspaper space and advertising in national magazines.

O'Cedar Spots

O'CEDAR Corp., Chicago (polish), through H. W. Kastor & Sons, Chicago, is preparing a schedule of one-minute spot announcements on approximately 30 stations to start in October.

RCA Demonstrates New 'Alert Receiver', Designed as Automatic Raid Warning

THE RCA "alert receiver," a radio Paul Revere that rings a bell to summon its owner, gives him instructions broadcast by his Civil Defense Chief and then shuts itself off, was demonstrated to the radio public July 28 in a broadcast which dramatically showed the set's operation under conditions of war.

Receiving a message from Mitchel Field, Army airport on Long Island, that "enemy" planes were heading for New York, Mayor LaGuardia, participating as National Director of Civilian Defense, relayed the warning to a CD officer in an NBC studio. He pressed a button that started a radio signal which a few seconds later turned on the set in the Mayor's office, first ringing the receiver's bell and then carrying the officer's instructions: "All wardens, fire-fighters and roof-spotters take their posts immediately and remain on duty until the all-clear is sounded. That is all."

Three-Tube Receiver

David Sarnoff, president of RCA, present in the Mayor's office, explained to the listening audience that the "alert receiver" is really a three-tube receiver looking and weighing about the same as an ordinary portable radio. Designed for home use, he said, the instrument is a "simple, yet radical departure from any kind of radio receiver ever before made—it is capable of being turned on and off by remote radio action."

"This means that the receiver in the home can be started and stopped from the broadcasting studio, or from any other desired point. It was invented and developed by engineers of the RCA Laboratories as a vital new servant to Civilian Defense in America. Here is an instrument by means of which the Civilian Defense head in any town or city in America can communicate instantly with his local defense workers.

"Simply by pressing a button, he can cause these unique receiving sets, located in the homes of hundreds of thousands of such workers, to go into operation and to broadcast his warning and instructions. To call the worker's immediate attention, at any hour of the day or night, an alarm bell in the receiver begins automatically to ring the instant the set is turned on by remote control. The bell continues to ring until it is turned off either by the listener in the home or by the broadcasting station itself."

Cheap Cost, Operation

Explaining that the set can be operated on batteries if the city power supply should be cut off, Mr. Sarnoff said it is simple to make and to operate, stating that it can be manufactured to retail at from $10 to $15 and that it takes almost no power for operation, so it can run 24 hours a day for a long period at very light cost. All RCA licensees, including most radio manufacturers, have been licensed to make these "alert receivers", and RCA is making complete specifications available to radio manufacturers and broadcasting stations.

The new receiver was developed by Arthur F. Van Dyck, Stuart W. Seeley and Harmon B. Deal, RCA engineers. At the transmitting end the apparatus is even simpler than at the receiver, consisting merely of a vacuum tube oscillator which generates two subaudible frequencies, one to turn the set on and the other to turn it off. The signal generating unit is connected to the broadcast transmitter like a microphone and the control room operator plugs it into the microphone circuit. Pressing the button releases the "On" signal and turns on all the receivers equipped for this service. These receivers may be installed in regular home sets, if desired, as well as operated independently.

Describing the instrument's application to Civilian Defense communication, RCA points out that it provides a local, regional or national instantaneous radio call system without expensive new equipment. "Automatically as flexible as the highly developed transcontinental broadcast network systems ... it does not require even one additional frequency allocation for its full use. The instrument is so designed that it can be installed at a broadcasting station without disturbing a single wire used for normal broadcasting service."

In a trans-Atlantic conversation between Mayor LaGuardia and Mr. Sarnoff in New York and Major F. W. Jackson, chief of the London Fire Brigade, and W. B. Brett, chief officer of the London Civilian Defense, in London, which was also broadcast on NBC-Blue July 29, Maj. Jackson asked whether this "alert receiver" would supersede "wailing Winnie, the siren." Mayor LaGuardia replied that "it is so uncannily accurate that we really believe we will be able to do away entirely with every other signal or alarm or alert and depend entirely upon the notice being given through this device."

Electricians' Strike Ties Up Work on NBC Studio

GENERAL STRIKE of electrical workers called last week in New York tied up work on the construction of NBC's two new studios on the sixth floor of Radio City. The move, biggest strike in the electrical industry since 1907, was called to compel the Consolidated Edison Co. to employ 600 members of Local 3 on electrical installation jobs at the company's Waterside plant, in place of members of the Brotherhood of Consolidated Edison Employes, characterized by the strikers as a company union.

The NBC studios, each to be audience-type with a seating capacity of 600-700 persons, were to be completed by Oct. 1, according to O. B. Hanson, NBC vice-president and chief engineer, when he announced plans for them last June [BROADCASTING, June 2]. Work will be tied up until the strike is settled with the walkout of 10 electricians hired by the contractor for the jobs of laying cables in the studios.

Burke Seeks Regional

J. FRANK BURKE, operator of KFVD, Los Angeles, holding 87.5% of the common stock issued, is the principal stockholder in Pacific Broadcasting Co., applicant for a new regional outlet in Pasadena, Cal., 10,000 watts fulltime on 1110 kc. In addition to Mr. Burke's holdings, which represents the entire block of common stock issued thus far, Melvyn Douglas, Hollywood movie actor, has 13.33% of preferred stock; Mrs. Eleanor Lloyd Smith, director of a retail grocery chain and vice-president of the Ventura Land & Water Co., 13.33% preferred; A. J. McFadden, rancher of Santa Ana, Cal., 4.67% preferred; John Anson Ford, member of the board of supervisors of Los Angeles county, 2.66% preferred.

TO PUT the "V" for victory signal to work in earnest, WWL, New Orleans, in place of the usual chimes to mark station breaks, has substituted the three dots and a dash that chime the music of democratic freedom. The signal is used for all program breaks.

And Now KFH Announces 5000 WATTS Day and Night

CALCULATED INCREASE IN KFH COVERAGE

30% to 50% Daytime
200% to 300% Night-time

Use the
New and More Powerful
Voice of The Wichita Eagle
at no Increased Cost

Complete New
BLAW-KNOX Radiator
and Western Electric
Doherty
Transmitter

Latest Figures —
$283,000,000
for WICHITA Defense Contracts

THE ONLY FULL TIME 5KW STATION IN KANSAS

CBS—CALL ANY EDWARD PETRY OFFICE

More Errors and Far-Fetched Ties in Newspaper-Radio List

Non-Existent Affiliations, Trivial Stockholdings And Outright Errors Throw Tables Off Base

THAT THE BASE for many of the statistical exhibits introduced in the opening newspaper-radio hearings is erroneous in many more respects than shown in the preliminary analysis published in the July 28 BROADCASTING, is evidenced by further disclosures of far-fetched and careless identifications of purported "newspaper stations."

Nine glaring errors in the master list (Exhibit I), which was introduced to show that 298 standard broadcast stations were identified with newspapers or newspaper interests as of last June 30, were pointed out in the July 28 BROADCASTING. Upon this base list some of the statistical tables were drawn, and this list included WLW and WHO, two of the largest dollar-volume stations in the country, which alone would necessarily swell the table purporting to show comparative earnings of newspaper and non-newspaper stations.

Weekly newspapers, trade papers and throwaway sheets in which station stockholders might be interested were sufficient to identify a station as belonging to what the Commission's compilers labelled "Class A" (stations 50% or more controlled by publication interests) or "Class B" (stations in which publication interests held less than 50% ownership) newspaper stations.

In the case of WLW and its companion station WSAI, those stations were classified as newspaper stations because Charles Sawyer, counsel for the licensee Crosley Corp., sits on the board of directors and happens to own a small-town Ohio newspaper, the *Lancaster Eagle-Gazzette*. Mr. Sawyer's stockholdings in the Crosley Corp. amount to approximately one-half of 1% of the issued stock. The same reasoning was applied to the classification of WHO, Des Moines [see tabulation herewith].

More Errors Listed

To the nine obvious errors cited in BROADCASTING July 28, the following may be additionally listed as a result of further study of Exhibit I:

1. WHO, Des Moines, is listed as a "B" station affiliated with the *Davenport* (Ia.) *Democrat* and *Leader-Times*. Only 12 of the 2,228 shares in Central Broadcasting Co., licensee, or less than one-half of 1%, is owned by persons owning stock in newspapers. The shares are identified as being held by Burdick Richardson (5 shares), Leland Turnbull (2 shares) and George S. Dempsey (1 share), all being associated with the Davenport newspapers and the Lee Syndicate of newspapers; Paul H. Krueger, of Illinois City, Ill., who owns one share in WHO's parent company and also 90 shares of Hearst Consolidated stock; Eva McComuck, who owns 3 shares in WHO and also happens to possess 13 shares in Capper Publications Inc. The WHO management is particularly resentful at being classified as a newspaper station since it has long been at bitter odds with the dominant newspaper interests of the State, namely, the *Des Moines Register & Tribune*, and since the foregoing stockholders could not possibly influence the policy of the station.

2. WLAP, Lexington, Ky., and KFDA, Amarillo, Tex., are listed as "A" newspaper stations, presumably because J. Lindsay Nunn, chief stockholder in those stations, once was publisher of the *Lexington Herald* (which he sold several years ago) and formerly held stock in the *El Paso Times* (which he no longer holds). Mr. Nunn reported last April that he no longer has any connection whatever with any newspaper. WCMI, Ashland, Ky., which he also controls, has the *Ashland Independent* as a 21% stockholder, but Mr. Nunn holds no stock in that newspaper company.

3. KMMJ, Grand Island, Neb., is listed as an "A" station by reason of former common ownership with the *Clay Center* (Neb.) *Sun*, a weekly, which KMMJ Inc. sold last Jan. 18. There is no connection now between KMMJ and any newspaper.

Non-Existent Newspaper

4. KPLC, Lake Charles, La., is listed as a "B" newspaper station, though the records do not disclose any of the stockholders interested in any way with any newspaper.

5. WISE, Asheville, N. C. (listed as "A") is identified with the *Asheville Daily News*, a newspaper formerly published by Harold H. Thoms, owner of WISE, which he discontinued publishing at least two years ago.

6. WJTN, Jamestown, N. Y., listed as having a "B" association with the *Jamestown Morning Post*, is not even remotely connected with that or any other newspaper; Jay E. Mason, president and chief stockholder, states "there is no such thing as newspaper ownership so far as WJTN is concerned."

7. WNEW, New York, is listed as having a "B" association with the *Paterson Morning Call*, apparently because Richard O'Dea, a stockholder in the station, was recorded as a director of that newspaper. Mr. O'Dea states he owns only 54 out of 2600 shares in the newspaper company.

8. WSLB, Ogdensburg, N. Y., is listed as having a "B" connection with the *Ogdensburg Advance-News*. Joseph R. Brandy Jr., half owner of the station, sold his interest in that newspaper in early 1940 shortly after WSLB went on the air, and the FCC's own records show that neither he nor any of the other stockholders is at present identified with the newspaper business.

9. WSLI, Jackson, Miss., is listed as a "B" station, though none of its stockholders has any interest whatever in any newspaper. L. M. Sepaugh, a 46% stockholder, once owned stock in two stations which were affiliated with newspapers but held no newspaper stock; he disposed of his stock in the newspaper stations several months ago and so notified the FCC. The other 54% of WSLI is owned by Standard Life Insurance Co. of the South.

10. WCAR, Pontiac, Mich., is listed as having an "A" connection with the *Farmington* (Mich.) *Enterprise*, a weekly, although H. Y. Levinson, 50% stockholder in the station, disposed of that newspaper several months ago.

11. KLBM, LaGrande, Ore., is listed as an "A" station but, according to Charles Bowes, manager of the *LaGrande Observer*, there is now no ownership or managerial connection whatever between the newspaper and the radio station, which is licensed to Harold M. Finlay, formerly one of the newspaper's owners.

12. KFAB and KFOR, Lincoln, Neb., are listed as "A" stations (in which 50% or more of the stock is newspaper-owned) but the records show that the *Lincoln Nebraska State Journal* owns 25% and the *Lincoln Star* 24% of the stock in these stations, thus properly placing them in the "B" category.

13. KVAN, Vancouver, Wash., is listed as affiliated with the *Salem* (Ore.) *Statesman* as well as the *Marshfield* (Ore.) *Coos Bay Times*. The Salem newspaper is not connected with the station, but Sheldon F. Sackett, publisher of the *Coos Bay Times*, does control it.

14. KOME, Tulsa, is listed as an

(*Continued on page 39*)

Flex-O-Glass on 24

FLEX-O-GLASS MFG. Co., Chicago (glass screen), in October starts a split schedule of one and two-minute announcements, five-minute and quarter-hour programs, varying in frequency on 24 stations and extending over a period of 13 weeks. Business was placed through Presba, Fellers & Presba, Chicago, on the following stations: KMOX KMMJ KDKA KSOO KWTO KFAB KMBC KMA KHQ KGHL KIDO WLS WHO WIBW WHAM WEEI WJR WCCO WOR WDAY WDZ WGY WLW XEAW.

* * *

President Delays Naming FCC Member; Three-to-Three Policy Split Is Seen

ALTHOUGH no formal word has been forthcoming from the White House, it is generally believed in official circles that the President does not plan to fill the vacancy on the FCC created by the expiration of the term of Commissioner Frederick I. Thompson until he has made a thorough canvass of the field. The Commission since June 30 has functioned with only six members.

While a number of candidates are being menticned, there has been no indication that the President has even seriously considered making an appointment at this time. So much controversy has been engendered by recent actions of the FCC, growing out of the chain-monopoly situation, newspaper ownership hearings and other forays, that the White House apparently regards the new appointment as peculiarly important.

Wakefield Wavers

At this time, the FCC definitely is aligned factionally. Chairman James Lawrence Fly, moving spirit of the "crackdown" group, is being supported in most policy considerations by Commissioners Paul A. Walker and George H. Payne. Commissioners T. A. M. Craven and Norman S. Case consistently have been aligned as a minority, and Commissioner Ray C. Wakefield, newest member, has voted with them on several recent occasions but is still regarded as something of an unknown quantity.

Commissioner Wakefield, for example, apparently is not wholeheartedly in favor of the Fly-directed onslaught against newspaper ownership of broadcast stations.

While technically there still is the possibility that Commissioner Thompson, who has returned to his home in Alabama, can be reappointed, that move is regarded as decidedly unlikely. The new term would be for seven years from June 30. Chairman Fly was understood to have favored the reappointment of the Alabaman largely because of the bearing it might have on the policy considerations and particularly since Mr. Thompson normally voted with him.

Reports currently are being heard of the candidacy of T. J. Slowie, FCC secretary since April 28, 1937 for the Thompson post. A Democrat from Clinton, Ia., Mr. Slowie could procure strong political endorsement, it is thought. He has not actively announced his own candidacy, but friends are understood to be acting in his behalf.

Other names still understood to be under consideration are those of G. W. Johnstone, former radio director of the Democratic National Committee, and before that public relations officer of NBC and of WOR-MBS; Edward Roddan, assistant publicity director of the Democratic National Committee and a former Washington newspaper correspondent; and Fulton J. Redman, a Portland (Me.) attorney.

Sen. White Offers Bill to Revamp FCC

Commission Power Curbed In New Measure

(*Continued from page 7*)

not essay to rewrite the entire act, but was designed to amend it in such fashion as to rectify glaring shortcomings. The bill, for example, does not touch upon the network-monopoly considerations covered in the hearings on his resolution held in June, but he said he hoped that amendments would be offered in committee, since technically that matter now is under consideration.

In a detailed statement accompanying the bill [see full text on page 18B] Senator White explained the motivating reasons for introduction of the measure at this time. He said it was essential that the power delegated to administrative tribunals must be limited by the enabling act. Such an agency is not authorized to set itself up as "a general legislative body making its own rules of conduct and decision wholly apart from and beyond the language of the statute", he declared. The tendency to do this has been prevalent among virtually all administrative tribunals, he said, but "has recently become very aggravated at the Commission". He concluded that in his opinion, this "must be arrested by the enactment of specific legislation along the lines here suggested".

Source of Bill

Senator White explained his bill had as its source the measure introduced last session by Chairman Wheeler proposing a three-man commission, with one man for each division and the chairman as executive officer; his own 11-man counter-measure, setting up separate divisions; recommendations made by the Federal Communications Bar Assn. along the general lines of the new bill; court decisions limiting the FCC's authority and recommendations made by the Attorney General's Committee on administrative procedure.

In proposing statutory divisions, the measure would restore the FCC to the form of organization, along broad lines, which prevailed prior to 1938, when Chairman Frank R. McNinch abolished the division setup. Then there were three divisions —broadcast, telephone and telegraph—with two members on each, and with the chairman sitting ex-officio on each. Under the White Bill, there would be two statutory divisions, and the Commission itself would sit as a whole only on matters of general application and on rules and regulations pertaining to procedure.

"Jurisdiction to hear and determine all cases arising under the act or regulations, relating to broadcast, television, facsimile and kindred communications intended for public reception is vested in the Division of Public Communications", Senator White said. And common carrier matters would be in the hands of the Division of Private Communications.

Senator White pointed out that this plan not only recognizes the basic differences between the two types of communications but it also provides a method for obtaining proper consideration of those cases by persons "who will be able to devote their time and attention to the questions committed to them without undue interruption or interference occasioned by demands of basically different problems".

Neglect Common Carriers

He emphasized the tendency upon the present seven-man commission structure to "confuse the two and to apply the same concepts and philosophies in the regulation of the two". Moreover, he declared that because of the glamour and publicity-getting value of broadcasting, and the lack of news value in common carriers, the Commission and its personnel have spent their time almost exclusively on broadcasting and related problems, and have neglected common carriers.

Each division of three members, under a Democratic administration, would probably include two Democrats and one Republican. Whereas the President would designate the chairman of the full Commission, each division would select its own, along with subordinate personnel.

Amendment of procedural sections of the act, to prevent arbitrary actions by the Commission and assure full hearings, as well as to eliminate hit-and-miss methods in considering transfer applications on sales of facilities, is proposed in another series of amendments. In transfer cases the transferee would be considered on the same footing as an existing licensee, remedying what Senator White described as an existing deficiency.

Wholesale revision of provisions relating to allottments of time for political broadcasts, for discussing of controversial questions, and for clarification of the responsibilities of the station in permitting use of its facilities by candidates is proposed in several amendments. These have proved to hold particular interest for members of Congress, who at every opportunity, berate stations or networks for failure to accord equal time.

Right of Reply

A new section would require the identification of the speaker on public or political questions, in announcements at the beginning and end of each broadcast, and in whose behalf the broadcast is made. Public officers, whether local, state or national, or whether elective or appointive, would be relieved of compliance, but the station must announce, at the beginning and end of each broadcast, full particulars, plus a statement whether the officer is "elective or appointive", and by what political unit or public officer the power of election or appointment is exercised.

Where public officers other than the President use station facilities for discussion of public or political questions, the right of reply must be given any one designated by the accredited representatives of the opposition political party or parties.

Another new section clarifies the duties of the station when its facilities are used by political candidates, public officials or others for discussion of public issues. It specifies that while no licensee shall have power to censor, alter or in any way affect or control the political or partisan trend of any material broadcast, he shall not be required to broadcast any material which advocates the overthrow of government by force or violence or any material that is slanderous or libelous. He can demand the script in advance for examination and deletion, and the Commission is instructed to make rules and regulations to carry this provision into effect.

Limitations on FCC

To define clearly the limitation of the FCC's functions on business aspects of broadcasting, Section 11 provides that Section 326 of Title III of the existing act be amended by inserting this new proviso at the beginning:

"Nothing in this Act shall be understood or construed to give the Commission the power to regulate the business of the licensee of any radio broadcast station and no regulation, condition or requirement shall be promulgated, fixed or imposed by the Commission, the effect, or result of which shall be to confer upon the Commission supervisory control of station programs or program material, control of the business management of the station or control of the policies of the station or of the station licensee. Nothing in this Act shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication. No person within the jurisdiction of the United States shall utter any obscene, indecent, or profane language by means of radio communication."

Codifies Court Edict

In explanation, Senator White said this would codify an interpretation placed upon the Act by the Supreme Court in the Sanders Case in March, 1940, in which the court said the Act does not essay to regulate the business of the licensee, and that the Commission "is given no supervisory control of the programs, of busness management or of policy".

Declaring that notwithstanding this pronouncement by the highest

(*Continued on page 53*)

ANNOUNCERS MAY BE PRISONERS

If They Are Captured During Coming Maneuvers Of Army to Be Held in Louisiana

WHEN "war" correspondents, radio men and cameramen enter the theatre of operations of the September Army games in Louisiana, largest peace-time maneuvers in history, they will be subject to capture as prisoners of war, the Army announced last Monday.

Working news and radio men will be the "citizen" of one of two belligerents, and must choose sides and become a part of one or the other of the two opposing Armies—one belonging to the Blue Force who wanders into Red Force lines will be arrested as an "enemy alien" and may be detained for as long as 24 hours to prevent disclosure of vital operating secrets.

Can Change Sides

Detention of correspondents is an innovation made necessary by the new "free maneuver" war games that have been prescribed by GHQ, since opposing forces will follow no preconceived scenario plan of operation that will yield a preconceived result. Although a correspondent is accredited to only one Army, it may be arranged for him to change sides at some particular stage in the maneuvers, and all commands have been instructed to aid in news coverage in any practical way.

Correspondents also are urged by the War Department to wear a uniform in the maneuver area. Uniforms are not compulsory, but are recommended, both for practicality to the wearer and as an added means of identification to facilitate free movement during operations.

In general, correspondents will enjoy privileges of Army officers, and plans are being made to provide adequate quarters and facilities to enable them to carry out their assignments. Credentials will be issued by the War Department Bureau of Public Relations in Washington. Stations, networks and news agencies intending to cover the maneuvers must apply for credentials no later than Aug. 4.

Senator White's Explanation of His Bill: S-1806

THE BILL introduced by Senator White, he explains, has its source in S—1268, a bill introduced by Senator Wheeler in the last Congress; in S—1520 introduced in the last Congress by Senator White; in recommendations recently made to the Federal Communications Bar Association by a committee thereof; in court decisions; and in recommendations found in the Report of the Attorney General's Committee on Administrative Procedure. This measure should not be regarded as a general revision of our Communications Act of 1934, but the changes in the organization of the Federal Communications Commission, in procedure, in the sections of present law with respect to appeals to the courts, in the efforts made to assure equality of right and opportunity among those who utilize radio for public discussion and finally the attempt to further provide against censorship, make this bill of supreme importance and justify, indeed demand, its study and approval in substantially its present form by the present Congress.

There follows an explanation of the Sections of the bill.

Sec. 1: Definitions

This section defines the terms "license," "station license" or "radio station license," appearing throughout the Act, as that instrument of authorization required by the Act or the Commission's Rules and Regulations for the use or operation of radio apparatus. This definition is made necessary because of a recent tendency upon the part of the Commission to treat what are in fact licenses as instruments of a different character thereby making possible avoidance of compliance with procedural and appellate provisions of the Act intended as safeguards against arbitrary administrative action, provisions necessary to be respected if orderly procedure is to be had. This broad definition of the term license tends to insure that result.

Sec. 2 and 3: Divisions

Sections 2 and 3 basically change the administrative setup and functions of the Commission. They can be summarized as the separation of the Commission of seven members into two statutory divisions of three members each and a clarification of the status and functions of the chairman or seventh man of the Commission.

Under this plan, the whole Commission would have power and authority to adopt and promulgate any rule or regulation of general application required or authorized by the Act, including procedural rules and regulations for the Commission and each division. The whole Commission would have plenary authority over amateur services, emergency services, the qualification and licensing of operators, the selection and control of personnel, the assignment of bands of frequencies to the various radio services and many other subjects and services as at present. But the present judicial and quasi-judicial functions of the Commission would be vested in the proposed divisions insofar as those functions relate to the most important and controversial subjects within the jurisdiction of the Commission.

Jurisdiction to hear and determine all cases arising under the Act or regulations, relating to broadcast, television, facsimile and kindred communications intended for public reception is vested in the Division of Public Communications. Similar jurisdiction with respect to common carriers and communications intended for a designated addressee is vested in the Division of Private Communications. This plan not only recognizes the basic and fundamental difference between the two types of communications involved and the nature of the questions presented by each but it also provides a method for obtaining proper consideration of those cases by persons who will be able to devote their time and attention to the questions committed to them without undue interruption or interference occasioned by the demands of basically different problems.

Under the plan proposed, the status of the chairman would be that of an executive officer and coordinator participating fully in all matters within the jurisdiction of the Commission except the determination and decision of contested matters which are made the exclusive business of the divisions. Experience has amply demonstrated that the Chairman can not be expected to devote the time and attention necessary to the proper handling and disposition of these matters and also efficiently to discharge the many other duties which are unavoidably his under the Act. As to these other duties, an attempt has also been made to clarify the status of the Chairman and to make him and him only, the official spokesman and representative of the Commission in certain important respects.

When the present Act was before the Congress in 1934, the bill passed by the Senate provided for a mandatory separation of the Commission into divisions as is now proposed but this plan was later abandoned and the present Commission has been operating under a law which permitted but did not require it to organize itself into divisions. For the last two or three years the division plan has been entirely abandoned and it seems certain that such abandonment has operated to the detriment of orderly procedure. We believe students of our legislation are thoroughly convinced of the wisdom of the mandatory division plan for at least two important reasons. They recognize that there are fundamental differences in the two classes of communications above referred to; that rate making and public utility concepts are the very essence of private communications but have little, if any, application to communications with the public directly; that there has been a tendency upon the part of the Commission to confuse the two and to apply the same concepts and philosophies in the regulation of the two. This must be avoided. In the second place, it is apparent that the subject of public or mass communications and the problem incident to the regulation thereof are so interesting and attractive that they draw public attention; that on the other hand, there is very little of news value or opportunity for publicity in the regulation of common carriers and that this has had the result of centering the attention of the Commission and its personnel almost exclusively on broadcasting and related problems and of preventing the giving of sufficient attention to equally important problems relating to private communications.

The changes proposed in these two sections would bring about a much needed and desired separation of the judicial and legislative functions of the Commission; would contribute to a sounder knowledge on the part of the Commissioners of the communication problems committed to them; would make for orderly procedure and harmony of decision; and would speed up the disposition of cases before the Commission and the divisions thereof.

Sec. 4 and 5: Procedure

These sections propose certain amendments to the procedural sections of the present Act (Sections 308 and 309). These amendments are made necessary by the restrictive character

SENATOR WHITE

of the language now employed and by the disposition of the Commission to give that language an extremely literal rather than a broad interpretation. The result has been to deprive applicants for certain types of licenses of the right to be heard before their application is denied and to deprive persons who are adversely affected by the action of the Commission in granting the application of others, of an opportunity to be heard before the Commission.

The amendment to Section 308 will make it clear that all instruments of authorization granted by the Commission entitling the holders to construct or operate radio apparatus should be the subject of a written application. The amendments to Section 309 make it clear that any person filing an application described in Section 309 is entitled as a matter of right to have his application handled in a definite procedural way.

The procedure to be followed in the handling of applications is that which was successfully followed by the Commission for a considerable period of time pursuant to rules and regulations enacted by it but which method was recently abandoned apparently upon the theory that the Commission was according to applicants and others in interest greater rights than those which the Act guaranteed to them. Since the right to notice and hearing is of the very essence of orderly procedure, amendments to the Act which leave no doubt that such right is secured are absolutely imperative. The amendments proposed would assure this result.

Sec. 6: Transfers

This section proposes a redraft of the transfer section of the present Act (Section 310 (b)). As now drafted, this section in terms relates only to station licenses and does not apply to construction permits or other instruments of authorization which the Commission may issue under its rules and regulations. The redraft would remedy this deficiency. The present transfer section is also silent concerning the procedure to be employed by the Commission in passing upon such applications and the proposed amendment would remedy this defect by providing that transfer applications be handled in the same manner and in accordance with the same procedure employed in the handling of applications for original instruments of authorization.

Aside from these questions of procedure, the decisions of the Commission relating to transfer applications have given rise to the theory that the proposed transferee of a station license may be subjected to conditions not required of an application for an original license. This is believed to be unsound and has been due, at least in part, to the fact that the statutory standard employed in the present transfer section differs slightly in phraseology from that used elsewhere in the Act. By providing for the use of the same statutory standard in the proposed amendment and by the use of other clarifying language, it is believed that this cause for controversy will be eliminated.

Sec. 7: Censorship

This section proposes amendments to Section 315 of the present Act relating to the use of broadcast facilities by candidates for public office. The amendments proposed are the deletion of the proviso clause now appearing in that section which provides that the licensee shall have no power of censorship over the material broadcast under the provisions of this section and the substitution therefor of clearer language to the same purpose found in the proposed new Section 332. This present proviso has been the source of much uncertainty and controversy. I believe the change urged clarifies and enforces the Congressional intent.

Sec. 8: Political Uses

This section of the bill proposes the addition of an entirely new section to the Act (Sec. 330) which will require the identification of the speaker in the case of broadcasts dealing with public or political questions either local, State or national in their scope and application. Ever since the enactment of the Radio Act of 1927, the law has carried a provision requiring that in the case of the commercial use of a station the person or organization sponsoring such broadcast be identified in connection with the broadcast. Such a provision is found in Section 317 of the present Act. The proposed new Section would merely carry the principle of identification further and make it obligatory in the discussion of political or public questions to make clear not only who the speaker is but whose views he expresses. It is unfortunately a fact that most propaganda by radio is found in sustaining programs or programs which have no commercial sponsor. The adoption of this new section would carry the salutory principle of identification into a field where is is much needed.

Sec. 9: Right of Reply

Section 9 of the bill proposes the inclusion of a new section, (Sec. 331) the effect of which would be to require the licensee of any station to afford a right of reply where public officers, other than the President of the United States, use his station for the discussion of public or political questions. This right of reply is to be exercised by the accredited representatives of the opposition political party or parties, and is to be afforded upon the same terms and conditions as the initial discussion. This substantially enlarges the scope of Section 315 of the 1934 Act. The subject matter of this proposed section merits immediate consideration.

Sec. 10: Duties of Licensee

Section 10 of the bill proposes the addition of another new section (Sec. 332), the effect of which would be to clarify the duties and responsibilities of a licensee where his station was used by a candidate for public office or by public officers or others for the discussion of public or political questions. The "no censorship" clause of Section 315 of the present Act does not adequately define the duties of a licensee under such circumstances. The proposed section (Section 332) affords the licensee an opportunity to examine the material to be broadcast before its intended use and to delete therefrom any material which is slanderous or

libelous or which the licensee may have reason to believe would subject him or his station to any action for damages or to a penalty or forfeiture under any local, State or Federal law or regulation. This section specifically provides that no licensee of any broadcast station shall have the power to censor, alter, or in any way affect or control the political or partisan trend of any material submitted by a candidate for public office or by public officers or others discussing public and political questions. With the exception of material which might subject the licensee to damages or penalties or material which is submitted for broadcast by or upon behalf of any person or organization which advocates the overthrow of government by force or violence, the licensee has no discretion.

Sec. 11: Business Control

Section 11 of the bill proposes a new sentence as an amendment to Section 326 of the present Act which codifies an interpretation placed upon the Act by the Supreme Court of the United States in the case of the Federal Communications Commission versus Sanders Brothers Radio Station decided March 25, 1940. In this case the Supreme Court said:

"But the Act does not essay to regulate the business of the licenses. The Commission is given no supervisory control of the programs, of business management or of policy. In short the broadcasting field is open to anyone, provided there be an available frequency over which he can broadcast without interference to others, if he shows his competency, the adequacy of his equipment, and financial ability to make good use of the assigned channel."

Notwithstanding this pronouncement of the Supreme Court, notwithstanding the fact that no language can be found in the Act which confers any right upon the Commisison to concern itself with the business phases of the operation of radio broadcast stations and notwithstanding the further fact that Section 3 (h) of the Act provides that a person engaged in radio broadcasting should not be regarded as a common carrier, the Commission has nevertheless concerned itself more and more with such matters. The charge is made that the Commission is attempting to control both the character and source of program material and the contractual or other arrangements made by the licensee for the acquisition of such material.

The amendment proposed spells out in black and white what it is believed was not only the original intention of Congress but is its present intention, with respect to this subject, in the hope that confusion and controversy can be eliminated. The amendment preserves the prohibition now contained in the Act against intereference with the right of free speech and that against the utterance of obscene, indecent or profane language by means of radio communication.

Sec. 12: Appeals

Section 12 is designed to clarify provisions of existing law relative to proceedings to enforce or set aside orders of the Commission and in appeals from decisions of the Commission. The present law upon this subject is now found in Section 402 of the Act.

Paragraph (a) of Section 402 deals with actions to enforce or set aside orders of the Commission except those appealable under paragraph (b) of that section. More specifically, paragraph (a) of this section relates to those orders of the Commission entered in matters involving common carriers and certain other orders relating to radio broadcast stations not now appealable to the United States Court of Appeals for the District of Columbia under paragraph (b) of Section 402. Under the proposed amendment, all orders entered by the Commission in the performance of its licensing functions would be appealable under paragraph (b) and would not be brought before a statutory three-judge district court. Moreover, suits brought before a statutory three-judge court to enjoin the enforcement of an order of the Commission could be brought in the District of Columbia as well as in other judicial districts.

The principal changes proposed in paragraph (b) of Section 402 can be summarized as follows:

1. Persons desiring to appeal from orders of the Commission entered in cases where the Commission exercises its licensing functions would be permitted to appeal either to the United States Court of Appeals for the District of Columbia, as at present, or to the United States Circuit Court of Appeals for the district in which they reside or have their principal place of business.

2. Language is adopted which will remove doubt as to which cases are appealable and which will extend the right of appeal to persons which should have such right but which have been excluded due to imperfections in the present Act.

3. The time in which an appeal must be taken is made thirty rather than twenty days, as at present, and the contents of the Notice of Appeal are specified with certain particularly along the lines now provided by the rules of the United States Court of appeals for the District of Columbia.

4. Jurisdiction is expressly conferred upon the Court to which an appeal is taken to grant temporary relief either affirmative or negative in character.

5. The Court is given authority to specify by rule what the record upon appeal shall contain.

6. The questions which can be raised upon appeal and which the Court must consider in determining an appeal are specifically enumerated.

7. The Commission will be required to comply with the mandate or decision of the Court upon the basis of the record upon which an appeal is taken unless the Court upon petition shall otherwise determine.

Other provisions of the present Act relating to the right of persons to intervene in an appeal and the right to review by writ of certiorari the judgment rendered by the courts upon much appeal are retained.

All of these changes are, in my opinion, not only desirable but necessary if adequate judicial review of the Commission's exercise of its licensing function is to be made effective. Present language of Section 402 and particularly paragraph (b) thereof is so vague as to result in great doubt concerning the proper court in which to seek judicial review in many cases. Moreover, recent decisions of the U. S. Court of Appeals for the District of Columbia and of the Supreme Court of the United States are such as to cast further doubt upon the meaning and application of these provisions. An illustration of this is afforded by a recent decision of the United States Court of Appeals for the District of Columbia which finds that court to be without jurisdiction to grant interim or temporary relief to any licensee where an order of the Commission is appealed from notwithstanding the fact that it has been the uniform practice of that court to grant such relief in meritorious cases since the first appeal taken to that court under the Radio Act of 1927.

Generally speaking, the same considerations which controlled the Attorney General's Committee on Administrative Procedure in the making of its recommendations concerning judicial review of the decisions and orders of other administrative tribunals have prompted the amendments to Section 402 here proposed. But I have gone further in certain respects than the Attorney General's Committee and have attempted to adapt the theory of that report to the peculiar problems incident to the licensing of radio stations and the review of decisions and orders of the Commission in licensing such stations.

Sec. 13: Rehearings

Section 13 of the bill provides for such changes in Section 405 of the present law relating to the subject of rehearings as are necessary to conform to the changes in the administrative organization of the Commission proposed in sections 2 and 3 of the bill. Further provision is made for delaying the effective date of any decision, order or requirement made in any case which is the subject of petition for rehearing until after final decision upon such petition. An attempt has also been made to eliminate doubt now prevalent concerning when his petition for rehearing must be filed before judicial review of the Commission's order can be had. Under the provisions of the amendment proposed, the petition for rehearing will not be a condition precedent to judicial review except where the party seeking such review was not a party to the proceeding before the Commission resulting in such order or where the party seeking such review relies upon questions of law or fact upon which the Commission has been afforded no opportunity to pass.

Sec. 14: Quorum

Section 14 of the bill proposes an amendment to paragraph (a) of Section 409 of the present Act which deals with the cases heard by less than a quorum of the Commisison or either division thereof. The procedure employed by the Commission in cases of this character has lead to a great deal of controversy and there has been a decided lack of uniformity both in the handling of such matters and the character of reports submitted by the hearing officer. The proposed amendment requires not only the submission of a uniform type of report setting out in detail and with particularity all basic or evidently facts developed as a result of the evidence taken but also conclusions of fact and law upon each issue submitted for hearing. It further makes mandatory the hearing of oral argument by the Commission or the division having jurisdiction of any case upon request of any party before the entry of a final order. The Commission or division is also required to accompany any final order with a full statement in writing of all the relevant facts as well as conclusions of law upon those facts.

Here again an attempt has been made to conform to the recommendations of the report of the Attorney General's Committee on Administrative Procedure, and these provisions, if enacted, would be wholly consistent with those recommendations or any legislation which may result therefrom.

Sec. 15: Discrimination

Section 15 of the bill proposes the addition of an entirely new section. This section is designed to curb an alleged tendency upon the part of the Commission to discriminate in a manner not authorized by the statute between applicants for broadcast and other radio facilities and to require as a condition to grants made the doing of certain acts which the Commission has no authority under the statute to require.

When the Congress enacts a law creating an administrative tribunal and defines its powers, duties and functions, we consider it as fundamental that the delegation of authority thus made must be limited by the enabling Act. Such a tribunal has and must exercise those powers which are specifically enumerated. In addition, it must exercise those powers which are necessarily incident to the exercise by it of case powers expressly enumerated. It is not, however, authorized, or permitted to set itself up as a general legislative body making its own rules of conduct and decision wholly apart from and beyond the language of the statute. The tendency to do this, prevalent among virtually all administrative tribunals, has recently become very aggrevated at the Commission. This, is my opinion, must be arrested by the enactment of specific legislation along the lines here suggested.

TRANSOCEAN FINED

German News Agency Guilty; $1,000 Fine, $15,000 Costs

MAXIMUM fine of $1,000 and $15,000 costs was imposed July 25 on Transocean News Agency by Judge T. Whitfield Davidson after a Washington, D. C., district court jury found the news agency guilty of failing to register with the State Department as an agent of Germany.

Transocean was tried alone, although previously the same charges has been made against the agency's manager, Manfred Zapp, and his assistant, Gunther Tonn. However, these two had been allowed to return to Germany the week before in a State Department exchange for interned American newspaper men.

Testimony by Federal Prosecutor George A. McNulty showed that Transocean had been conducting a propaganda war against the better interests of the United States and had been guilty of dispatching news to South America that was derogatory to the U. S.

LEFTY GROVE'S 300TH victory the last Sunday in July won for him the Yankee-Colonial network plaque presented by John Shepard 3rd, one of radio's most ardent baseball fans. At the mike during the presentation, broadcast to the fans as well as the radio audience, were (l to r) Mr. Shepard, his daughter Nancy, Lefty Grove and Announcer Jim Britt.

JOHN CROWDER, collector and wholesaler of country produce, has applied to the FCC under the name of the Dimple Broadcasting Co. for a new local in Columbia, Tenn., to operate on 1240 kc. with 250 watts, the facilities of WSIX when vacated.

Network Monopoly Subject of Series

'Dallas News' Runs Both FCC And Industry Arguments

A SERIES of seven articles on the plight of the broadcasting industry, growing out of the FCC's regulatory onslaught, was published in the *Dallas Morning News* during the week of July 17. Written by Felix R. McKnight, staff correspondent, the articles covered the chain-monopoly regulations and their effect upon broadcast service to the public. Also covered was the issue of newspaper ownership of broadcast stations.

The FCC's Position

Mr. McKnight set forth his interpretation of the FCC's "accusations" and the industry's defense as follows:

1. Three major networks, NBC-Red and Blue and CBS, operate a monopoly that dominates broadcasting stations.

2. Restraints on competition among networks discourage improvement of programs.

3. Eighty-six percent of the night-time broadcasting power, in wattage, is controlled by two corporations, National Broadcasting Company and Columbia Broadcasting System.

4. Networks are limiting individual broadcasting stations as to their right to decide what they shall, or shall not broadcast; further, their rights to reject network programs which they do not deem "in the public interest" are not easily asserted.

5. Local broadcasting stations do not have the opportunity fully to perform obligations to their communities because of the claims of networks on optional time.

6. Important programs often fail to reach an area because of exculsivity clauses in contracts with networks which prevent local stations from broadcasting any chain programs except those of the network with which they are affiliated.

Radio's Answer

Radio stoutly answers:

1. Free, open competition now exists among networks.

2. Network restrictions placed on affiliated stations are not intended to be monopolistic but are necessary to maintain coverage for advertisers and thus maintain quality of programs. The right to reject network programs not in the public interest is ample protection for the broadcast stations.

3. Great cultural and civic sustaining programs would die without the above mentioned arrangements.

4. Local broadcasting stations have ample time and freedom to serve their own communities with local programs.

5. Government dictatorship will be the answer to new regulations of the FCC; the public should be radio's only censor, and they are satisfied. The present system is working with a high degree of public satisfaction.

6. If the new changes ordered by the FCC are not rescinded, anarchy and chaos will break out in the industry and fly-by-night time brokers will replace responsible, existing networks.

Fight Employment Bill

HOLLYWOOD talent agents and guilds, alarmed over pending legislation in Congress which would regulate employment agencies, are forming a bloc to fight the bill. Working in conjunction with New York talent agencies and unions, the Hollywood group is seeking an amendment that will leave them outside the jurisdiction of the proposed law, which, they declare, would work hardships on them.

Foreign Broadcast Control Unchanged Under Donovan; LaGuardia's New Role

SUPERVISORY direction of the operations of international broadcast stations under Col. William J. (Wild Bill) Donovan, recently named coordinator of information by President Roosevelt, was foreseen last week following a conference with the famous attorney-soldier in Washington. No change in the existing overall operation of the international stations by existing licensees is in view, however.

Col. Donovan conferred with the heads of the companies operating the international broadcast stations last Wednesday, and the session was described as amicable. Whereas reports had been heralded that the Government might find it expedient to supervise programming operations more rigidly, it developed that the new information official had in mind only a more efficient private operation to insure maximum programming service to the Latin Americans and to Europe.

Robert E. Sherwood, noted playwright who recently joined Col. Donovan's organization, is expected to coordinate the shortwave information structure through the present industry organization headed by Stanley P. Richardson, designated several months ago as industry coordinator. Liaison with the State Department, it is expected, will be continued through the Division of Current Information, headed by Michael J. McDermott, and Robert T. Pell, assistant chief of the European Division, specially assigned to this work.

Among those present at the evening conference, in addition to Messrs. Donovan, Sherwood and Richardson, were William S. Paley, president and Edmund Chester, director of international broadcasting for CBS; Niles Trammell, president, and John W. Elwood, international station director, for NBC; James D. Shouse, for Crosley; Walter C. Evans, for Westinghouse, and Robert S. Peare, for General Electric.

Col. Donovan told BROADCASTING that he now is in the process of organizing his new operation, and that the very nature of the work in collecting and assembling information bearing on the national security would not warrant publicity. It is presumed the organization will encompass liaison with the Army, Navy, FBI and other governmental intelligence operations, such as the FCC's recently established far-reaching national defense "listening post" operations. International broadcasting will fall within his purview, from the standpoint of information in the foreign field.

Domestically, Mayor F. H. LaGuardia, as director of Civilian Defense, eventually is expected to assume certain functions pertaining to broadcasting and its relation to national morale. This may involve clearance of programs over all standard broadcast stations, as the emergency tempo increases. As yet there has been no clearly defined plan evolved, but Mr. LaGuardia has conferred with FCC Chairman James Lawrence Fly as chairman of DCB and steps already have been taken toward mobilization of non-broadcasting communications in the national emergency.

BROTHER OFFICERS

Weiss and Tincher Discover Bond in 4th Cavalry

TWO prominent radio executives have a new bond of friendship as a result of the rapid expansion of the Army. Over 25 years ago Lewis Allen Weiss, vice-president and general manager of the Don Lee Broadcasting System, joined the Fourth Cavalry serving along the Mexican border, finally commanding Troop B.

Recently Mr. Weiss read in BROADCASTING that Robert Tincher, manager of WNAX, Yankton, S. D., who holds a reserve first lieutenant's commission, had been called to active duty with the Fourth. Writing Lieut. Tincher, Mr. Weiss said in part:

"Somewhere in the archives of the old regiment you may run across some order or regimentary report in which my name appears, and if you do, it will remind you that a former officer of your regiment is hoping that you get the thrill and the pride as an officer of the Fourth Cavalry that I experienced so many years ago."

EUGENE H. PRICE has been named commercial manager of Mackay Radio & Postal Telegraph Co. in New York. He was formerly commercial manager in San Francisco.

Clapper - Hillman Series Get New Sponsor on Blue

TRIMOUNT CLOTHING Co., Boston, extensive user of spot radio for its Clipper-Craft Clothes, on Sept. 25 is entering network radio with the sponsorship of the NBC-Blue program *News Here and Abroad* with Raymond Clapper, Washington newspaperman, and William Hillman, reporter and foreign editor of *Colliers* Magazine. The program, currently heard Mondays Tuesdays Wednesdays and Thursdays 9:30-9:45 p.m. (EDST), will be sponsored on Thursdays only by Trimount on 63 Blue stations, with the time shifted to 9:15-9:30 p.m. (EST). This shift is necessary as the NBC-Blue *America's Town Meeting of the Air* is scheduled for 9:30-10:30 p.m. Agency handling the account is Emil Mogul Co., New York.

Book Publisher Buying

DOUBLEDAY, DORAN & Co., New York (book publishers), early in September will begin a campaign on behalf of Triangle Books, 39-cent editions of popular novels and classics to be marketed exclusively through the F. W. Woolworth stores. Spot announcements and participations will be used on WJSV, Washington; WJR, Detroit; WHO, Des Moines; KFEL, Denver; WSB, Atlanta. Contracts run five to 13 weeks. Huber Hoge & Sons, New York, is the agency.

FREE RECORDINGS BY NEW COMPANY

FREE RECORDINGS, orchestrations and professional copies of all new tunes published have been offered stations agreeing to play the tunes a certain number of times each month by Radio Music Inc., New York, a new company in the recording field which expects to get under way about Aug. 15. Under contracts said to be already signed with more than 320 stations no performing rights will be charged and tunes can be played indefinitely, according to Robert Green, vice-president and general manager.

Specifically, stations will receive without cost from six to eight records each month, plus two orchestrations and four professional copies of each tune, in return for broadcasting these tunes a minimum of twice a day for the first 30 days and once daily for the next 30. The agreement is to run for one year, and Radio Music is accepting all copyright infringement liability, Mr. Green asserted.

Tunes will be composed by free-lance writers and semi-name bands will record them. The discs, to be pressed by the Scranton Record Co., will be marketed under the name "Radio Records".

The company expects to get its revenue from the sale of the recordings made popular on the air through retail outlets and from music machine operators as well as from the sale of sheet music.

Instrument Sales Rise, Fear Material Shortages

THE OLD CRY that radio has reduced interest in musical instrument playing was again discounted at the annual Music Industries Convention and Trade Show in New York last week. R. C. Rolfing, president of the National Piano Manufacturers Assn., reported that shipments of pianos for the first six months of this year were up 26.28%. Piano manufacturers, it was stated, were refusing distant orders and were guaranteeing prices only until Oct. 1, after which orders will be subject to then prevailing prices.

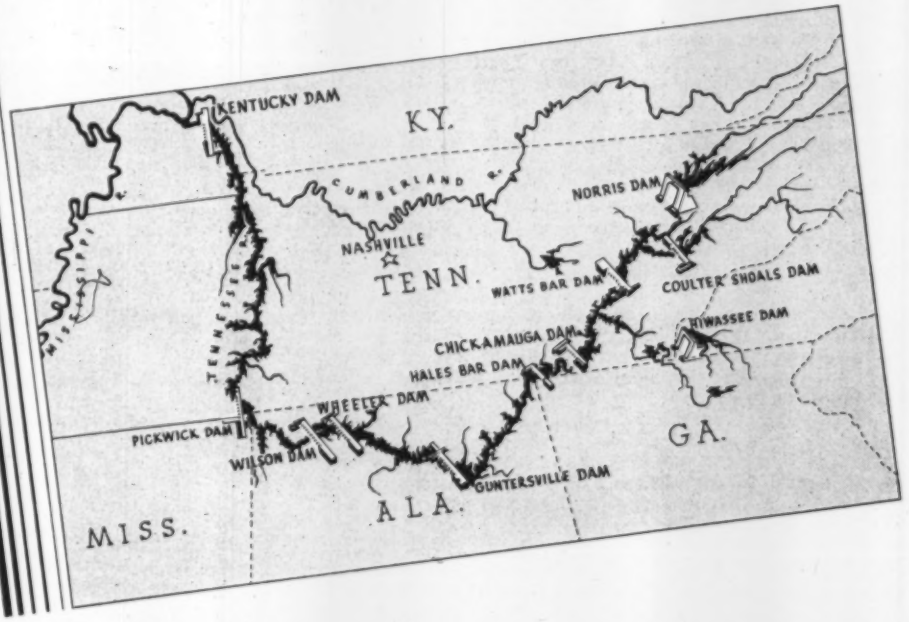
A shortage of raw materials this autumn was anticipated by instrument makers, but because of the importance of music to morale hope was expressed that the industry might get a priority rating. Prices were reported up already from 5 to 10% on quality merhcandise and 15% on low-end goods.

Mrs. Hobby to Army

MRS. WILLIAM P. HOBBY, vice-president of the *Houston Post* and supervisor of its broadcasting station, KPRC, on July 30 joined the War Department Bureau of Public Relations as woman's editor. Mrs. Hobby is a director of the Southern Newspaper Publishers' Assn. and a member of the American Society of Newspaper Editors, and in recent months has been active in the work of the press-radio committee representing newspaper-radio stations in the current hearings before the FCC.

WLAC *Offers* POWER

"Where Power Counts Most"



Covering the South's Richest Industrial Area

THE GREAT TENNESSEE VALLEY

DIRECTIONAL ANTENNA SYSTEM DESIGNED TO THROW MAJOR SIGNAL STRENGTH SOUTH, SOUTHEAST AND SOUTHWEST AT NIGHT. (Non-Directional Day)

MAXIMUM AUDIENCE ASSURED BY

CBS PROGRAMS • U. P. NEWS • "TOP" LOCAL FEATURES

WLAC, Nashville, Tennessee

50,000 WATTS

PAUL H. RAYMER CO., *National Representatives*

J. T. Ward, *Owner* — F. C. Sowell, *Manager*

Regional Grant Made To Trenton

New Locals Also Authorized In Lafayette and Oshkosh

A NEW regional station in Trenton, N. J., and new locals in Lafayette, Ind., and Oshkosh, Wis., were authorized for construction by the FCC in decisions announced July 30. These bring to 32 the number of new station grants made by the Commission so far this year.

The Trenton grant went to Trent Broadcast Corp., and covers 1,000 watts fulltime with directional antenna on 920 kc. Officers and stockholders, each listed as owning 9.09% of the stock, are: Charles Quinn, Trenton attorney, president; A. Harry Zoog, one of the owners and manager of WFPG, Atlantic City, executive vice-president; Richard Endicott, general manager of the Atlantic City Steel Pier and hotel operator, treasurer; John F. Trainor, official court reporter, Trenton; R. E. Carroll, manufacturers' agent; Rep. Elma H. Wene, Democratic Congressman from Vineland, N. J.; George A. Hamid, owner of the Atlantic City Million Dollar Pier; James A. J. Ross, road machinery manufacturer; Louis St. John, assistant pier manager; Allen Blankfield, part owner of WFPG; Bennett Tousley, radio and electrical appliance merchant, Atlantic City.

Lafayette and Oshkosh

The Lafayette grant was to WFAM Inc., which proposes to use the old call letters of the *South Bend Tribune's* former WFAM and its former facilities of 100 watts on 1230 kc. The newspaper recently relinquished the station upon securing improved facilities for its WSBT. WFAM Inc. has as its officers and stockholders the same group that owns WJOB, Hammond, Ind., namely, O. E. Richardson, president, 33 1/3%; Fred C. Adair, vice-president, 16 1/6%; Robert L. Adair, treasurer 16 1/6%; J. Gibbs Springs, secretary, 32 1/3%. Robert L. Adair, son of Fred C., is now in the Army as a first lieutenant.

Howard H. Wilson, station representative with headquarters in Chicago, secured the construction permit for the new Oshkosh station. The permit covers 250 watts on 1490 kc.

The Commission designated for hearing the application of WTNJ, Trenton, seeking fulltime in lieu of its present time-sharing with WCAM, Camden, and WCAP, Asbury Park. Also designated for hearings were the new station applications of Cuyahoga Valley Broadcasting Co., seeking 1,000 watts daytime on 1300 kc. in Cleveland, and Seaboard Broadcasting Corp., seeking 1,000 watts fulltime on 1590 kc. in Tampa. Others set for hearing were the rival applications for new stations with 250 watts on 1490 kc. in Norfolk filed by Norfolk County Broadcasting Co. (R. M. Wallace and G. E. Schnibben) and by Tidewater Broadcasting Co. The application of Portsmouth Radio Corp. for the same facilities in nearby Portsmouth, Va. was ordered to hearing together with the two Norfolk applications.

The Press Must Be Free

BY RAYMOND CLAPPER

Raymond Clapper, author of this column, is a Scripps-Howard syndicate writer whose daily columns appear in more than 100 newspapers. Highly regarded even in New Deal circles for his objectivity, his comments in his July 28 column on the perceptible threats to freedom of the press and radio, as evidenced by the current moves of the FCC, are particularly pertinent.

RECENTLY the chairman of the Federal Communications Commission, James L. Fly, called newspaper and radio men to his office and asked them to cease mention of the Stalin Line in connection with the Russo-German fighting. He said if the newspapers and radio built up a legend about a strong Stalin Line, such as was built up about the Maginot Line, then when the Germans broke thru the effect upon the American public would be all the more depressing.

Nobody paid much attention to this, partly because the idea seemed silly and partly because it wasn't Mr. Fly's business to tell newspapermen and radio men how to write their copy. A general twitter went around among Government officials at the incident and it contributed to the growing impression that Mr. Fly, altho a bright young protege of ex-Tommy Corcoran, is inclined to be erratic in his judgment.

Division exists within the Government as to whether more aggressive propaganda activities should be undertaken thru the press and radio. Thus far those opposing it have had the upper hand.

Lowell Mellett, one of the presidential advisers and a former Scripps-Howard editor, has led the fight against any attempt to impose a formal propaganda domination over the press and radio. His position has been that the press on the whole has given intelligent and co-operative support to the Administration foreign policy and that the Administration is receiving as much help from the press now as it should expect without exercising arbitrary control.

The co-operation is voluntary. It grows out of the fact that practically all newspapermen and radio commentators have a desire as citizens to protect the interests of the country. On the whole they have exercised care to avoid damage to the interests of the nation. They have been more guarded in what they have said about military movements than some senators.

In the midst of this situation, the Federal Communications Commission has begun an investigation of press and radio. The announced purpose is to consider whether newspapers should be forbidden to own radio stations. Questionnaires in connection with the investigation dig into every phase of how individual newspapers treat radio, covering the furnishing of news, the publication of radio programs, and advertising practices. It is the most extensive look into the insides of newspaper offices that the Government has ever undertaken.

Newspapers and radio broadcasters are exceedingly nervous over what may grow out of this investigation, considering the general situation in Washington, the agitation among some for more Government propaganda intervention, and the unpredictable whims of Chairman Fly, who is directing the present investigation.

Questions of deep importance to a democratic nation are involved. As radio channels are limited, there is a mechanical necessity for Government control over the traffic. No such mechanical reason is applicable to newspapers.

Under present conditions more and more Government control is necessary over the activities of the nation. This but increases the need of preserving newspapers and radio as a safety valve, as an uncontrolled and free source of information for the growth of intelligent public opinion. It will be in the interest of the public to see that nothing grows out of Chairman Fly's investigation that would destroy this strategic fortress of democracy—the fortress of free discussion.

Gunther-Shirer for Winchell

JOHN GUNTHER and William Shirer, radio commentators and authors, will alternate as substitutes for Walter Winchell on the Sunday evening *Jergens Journal* broadcasts on NBC-Blue during his August vacation. Lennen & Mitchell, New York, agency for Andrew Jergens Co., Cincinnati, the sponsor, states the program will definitely continue on the Blue Network despite rumors to the contrary.

New GE Antenna

A NEW and unique antenna, encased completely in a large wooden box which can be heated electrically, has been built atop a 128-foot tower in Schenectady as part of the expanding General Electric Co. television facilities. The antenna will relay the picture portion of television programs from GE's new television studios to the main transmitter in the Helderberg Mountains, 12 miles south of the city. FM sound will be relayed from a separate antenna atop the box. The new setup is GE's engineers' answer to problems created by weather changes.

Army Radio Posts To Joy, Bailey

New Program Department Is Organized Under Kirby

WITH RETENTION of Jack Joy well-known West Coast musical director and producer, as program director, and of Bill Bailey, formerly of WLW, as news editor, the radio branch of the Public Relations Section of the Army has completed its top personnel organization and will expand its program and news production operations.

Under the direction of Ed Kirby chief of the radio branch, a staff of 18 specialists has been assembled at Army headquarters in Washington and is supervising all radio activities of the War Department. Mr. Kirby, on leave of absence as public relations director of the NAB, has been with the Army as a dollar-a-year man since last February.

How extensively the Army will go into actual program production with its acquisition of Mr. Joy as program director, is not indicated. It is understood, however, that transcription equipment is being procured but that it will be used primarily for morale work at the various Army encampments.

Portables for Remotes

Portable transcription equipment procured for the special events department, headed by Jack Harris on leave from WSM, Nashville, will be used for remote programming for stations or networks where regular pickups cannot be procured because of Army regulations. Interviews or descriptive narratives will be handled for individual networks or stations upon request, it was learned.

Mr. Joy, musical director of the San Francisco Exposition of 1940 and in freelance production work since its close, will head the new program department. Mr. Bailey, former news editor of WLW, will function as news editor and coordinate his activities with the press section of the Public Relations Department for news commentators and for the radio wires.

Mr. Bailey will serve under Mr. Harris as special events director. Plans already have been completed for a special Sunday service for commentators and the radio wires. Regular service will involve picking up of broadcastable items from the daily budget of War Department and Army post press releases.

Another addition to the branch is Tom Stone, former script writer with WMCA, New York, and WFIL, Philadelphia. He will function under Jerry Ross, head script-writer. The administrative officer is Robert C. Coleson, former director of radio and public address of the San Francisco Exposition.

BECAUSE of the success of the first two issues of *WOR News*, edited by the promotion department of WOR, New York, for studio visitors, the station is sending copies semi-monthly to executives in advertising agencies.

WBT *has 2,758,380 program directors*

Run a finger down the list of local WBT programs punching hardest for their sponsors and you'll find that the WBT audience, itself, has had a big hand in building them. Talent for talent and feature for feature, these sales producers are what the audience has asked for—*and listens to.*

Farm Editor Grady Cole... Sports Editor Russ Hodges ... and many another WBT star can turn a neat sales trick for an advertiser simply because they are the people's choice. Simply because WBT's listeners have accepted them and built them into the personalities—*and salesmen*—that they are today.

There's a file of success stories here to prove what kind of selling stuff these WBT-Audience-Requested-Programs are made of. Which is one good reason why WBT clients take WBT program department recommendations so seriously.

Your nearest Radio Sales representative has an interesting list of WBT talent and program availabilities, with testimonials and case histories that are worth your reading.

WBT 50,000 WATTS • CHARLOTTE

"THE STATION AN AUDIENCE BUILT"

Owned and operated by the Columbia Broadcasting System. Represented by Radio Sales: New York, Chicago, Detroit, St. Louis, Los Angeles, San Francisco

'Emotion' and the ASCAP Negotiations

Mills Deplores the Lack of Logic In Dealings

Editor's Note: Reactions aplenty followed publication in the July 21 issue of BROADCASTING *of articles on copyright, quoting Ed Craney, head of KGIR, Butte, and the Z-Bar Network and Andrew W. Bennett, general counsel of National Independent Broadcasters. In the following article, E. Claude Mills, chairman of ASCAP's Administrative Committee, gives his reactions to the still-simmering copyright issue, plus other observations anent trade association operations.*

By E. CLAUDE MILLS

Chairman, Administrative Committee
American Society of Authors, Composers & Publishers

THE BROADCASTING industry and the music publishing industry do seem to have, as industries, and as to a very large number of individuals in both camps, one characteristic in common, and that is a disposition to think emotionally rather than logically, and to express themselves in terms much more vigorous and often scathing than are likely to result in calm consideration of differences by the other side. This trait carries on into the internal dissension in both groups.

United Front

No one would deny the right of dissenters to disagree or of minorities to express themselves. Yet, in matters comparatively as trivial as those which confront these two groups in their relationship to each other and their respective membership in relation to internal problems, it seems reasonable to just point out that it is the single, undivided, united front that best protects the interests and rights of individuals within the group, so long as these purposes, policies and operations are within the law. Of course, no trade group or association may convert itself into or operate as a trade conspiracy or in restraint of trade.

Mr. Craney thinks, and has always thought, and I have generally agreed with him, that the NAB was dominated by the networks. Many others have shared this thought, and it may be perfectly true.

Many broadcasters have believed, and the NAB has not hesitated to express the conviction, that ASCAP was dominated by a small group of the leading publishers and composers.

In both groups the so-called "independent" operators of the smaller enterprises greatly outnumber the larger operators. This is so in every similar group or organization. The predominance of majority interests represented by few in numbers over minor interests represented by many in numbers is prevalent in all corporations, trade associations, educational and even political groups.

It always has been so, and apparently it always will be so, but it must be borne in mind that there is a vast difference between wise, constructive leadership, and selfish or oppressive domination.

The Smaller Unit

Radio, as modern entertainment, has been brought to its present state of high perfection because of the initiative, energy and investment of the majors in research, development and promotion for broadcasting.

The major and most valuable catalogs of musical works have been brought into being, developed, promoted, and their circulation made possible by the initiative, skill, energy and investment of the leading composers and publishers.

In both fields there are a number of smaller units and interests, having a perfectly proper place in the picture and deserving to be prosperous, according to their respective ability to meet competition and establish a "place in the sun" for themselves.

There have been discussions about "breaking up ASCAP" and I observe that there is now a "movement for abolition of the NAB". It would be inconceivably stupid of the broadcasters as an industry and as individuals to "abolish" their trade organization, and so it would be for either them or our own members to "break up" ASCAP.

Assuming NAB to have all the faults, and more, of which Mr. Craney complains, I, who might normally be expected to be the last person in the world to say anything favorable about it, still think that it can perform an extremely effective service for the broadcasters and the industry. I think some of its policies, just as some of ASCAP's, have been shortsighted, and I believe it knows that and will profit from these errors of judgment, just as I feel that ASCAP has learned a lesson from its errors.

There's Been a Change

The NAB, the networks and ASCAP have, in my opinion, all been equally shortsighted in not recognizing that the theory and policy of Government, as expressed under the present Administration, has definitely changed the character and complexion which prevailed prior to the present Administration.

This Administration is one that the people of the United States, by an overwhelming majority, seem to want. Fundamentally, the error in the thinking of organizations and powerful individuals, is their inability or unwillingness to recognize the changed conditions and adjust themselves accordingly.

The result of this failure to foresee and adjust to these changes is, so far as ASCAP is concerned, a "consent decree" plus some very bothersome State laws, and the results, as far as broadcasting is concerned, are the regulations which the FCC proposes to put into effect.

In the vernacular of the day, both the broadcasters and ASCAP became entirely too "cocky".

The application of light rather than heat to the problems presented would be very helpful to both sides. This is true as to the internal problems of each group, just as it is with respect of dealings with each other.

I note that Mr. Bennett "urges broadcasters to continue the copyright drive". He "warns" them to "reappraise the current copyright situation lest they become victims of their own inertia". I think he need have no fear of the broadcasters suffering from such a weakness. Lawyers live on controversies. That goes for our own lawyers and all others that I know anything about. This remark is not intended to belittle either the profession or the tremendous service attorneys are constantly rendering their clients. But the fact remains.

If I correctly understand the gist of his remarks, he suggests by indirection that there should be a continuance of the NAB's previous campaign to bring about the enactment of Anti-ASCAP State laws.

And Radio Next?

I think he and the industry should bear in mind that it is but a step from that precedent to the enactment of Anti-*Radio* State laws.* No constructive solution of the difficulties involved is to be found via this route. It will just lead directly to increased confusion, cost, and a field day for attorneys who thrive on the litigation which must inevitably result.

I should think it would somewhat answer Mr. Craney's complaint about the NAB to point out that there are already two other organizations of broadcasters, the IRNA and the NIB. Are these two organizations not just as chargeable as is the NAB with not having done a very good job?

Personally, I doubt very much "if someone who knew his way around Washington had been put in to head the NAB", as Mr. Craney suggests, the results, as far as the FCC regulations are concerned, would have been any different. In the old days men "who knew their way around Washington" could get somewhere. But in these days they don't do so well, particularly when they represent "big business" in its endeavor to entrench itself against any assault upon its claimed privileges.

Nor are the courts very helpful. What would be helpful to all parties concerned would be for them to frankly recognize the new order that confronts all business and adjust to it.

Bennett seems to worry as to

*Editor's Note: This is an inaccurate inference, because State legislatures do not have the right to legislate as to interstate commerce. That power is reserved exclusively to the Federal Government (Fisher's Blend Station v. State of Washington, U. S. Supreme Court, 297 U. S. 650, 80 L. Ed. 956, and others).

IT'S THE TRUTH, avers Joe Worthy, announcer of WWNC, Asheville, shown here with his two pups which he has named "ASCAP" and "BMI." The screw-tailed Boston Bull, being the younger and smaller, is called "BMI" and Worthy says he's growing fast and "putting up a real scrap." The terrier is "ASCAP."

HILLBILLIES REBEL
Form Own Society in Answer To ASCAP Blackball

MORE opposition for ASCAP was foreseen last week as an indignant gathering of the nation's hillbilly and cowboy musicians met in Frankton, Ind., to form their own performing rights society.

The Associated Press reported that the group met at the invitation of Justice of the Peace Lee Trissell of Frankton, a ventriloquist, described as the author of the idea. Mr. Trissell said that the new organization, to be known as the American Composers, Entertainers & Songwriters, would foster "real American folksongs".

Mr. Trissell, ventriloquist though he is, used no double talk to describe his feelings about the older society. "ASCAP" he said, "says membership is not available to mere aspirants and sets itself up as a sole judge of who is a 'qualified' composer, author, artist or publisher. Yet the world's greatest music and most successful songs are the products of 'aspirants'".

ACES, according to Mr. Trissell, would take care of "the little feller". Quoth he:

"We'll take in the real Americana, the hillbilly musicians, the authors of the real American folksongs, the entertainers who present them. We'll see to it that their songs are published and disseminated. ASCAP can go hang, till they hang themselves."

whether ASCAP, in its offers made to stations of alternative licensing formulae, will comply with the terms of the consent decree.

He need not worry. Every formula offered will be submitted to the Department of Justice for approval, and if the Department declines to approve or comment, ASCAP will undoubtedly ask for the ruling of a Federal court, as to whether or not the formula is in actual and legal compliance with the terms of the consent decree.

A Friendly Understanding

ASCAP does not hesitate to seek grounds and a basis for a clear and friendly understanding with the radio broadcasters, collectively and individually. We want to be paid a fair price for the use of a product which, notwithstanding some emotional statements, is a vital necessity to good showmanship in radio and to the rendition of a true public service under the terms of the franchise granted by the Government.

We know, and most broadcasters realize, that as the greatest central clearing house of music license rights the industry has ever known, and with the finest repertoire of music that exists today anywhere in the world, ASCAP is an invaluable service agency, and that broadcasters are cheating themselves and the public in the attempt to foist upon it an ersatz product.

At the moment, when the public mind is so deeply engaged with thoughts connected with National Defense, and the welfare of more than a million of our boys in the camps, it is relatively indifferent to the music matter. But any sound showman, and any intelligent broadcaster who will think unemotionally, will realize that a maintenance of the status quo cannot but be harmful to radio networks, and individual stations alike.

Eliminate emotion, and substitute sound, quiet thinking intelligence, and the gravity of problems on both sides, individually and organizationally, will be halved.

Peach Crop Spot List

ATLANTIC COMMISSION Co., New York, the fresh fruits and vegetable buying affiliate of the Atlantic & Pacific Tea Co., which started a three-week spot announcement campaign on July 30 to push the year's peach crop [BROADCASTING, July 28] is using the following 45 stations: WOKO WBZ-WBZA WCSH WJAR WOR KYW WGBI WBAL WJSV WDEL WMBG WDBJ WSB WBRC WJAX WMAZ WRDW WBT WWL KPRC WCSC WIS WMC KDKA KFBG WKBW WHK WBNS WFBL WOLF WKBN WXYZ WOOD - WASH WFBM WCKY WHAS WSPD WMAQ WTMJ KMOX WHO WDAF WDGY.

KNOX MANNING, Hollywood announcer-commentator, has been cast in the Warner Bros. film short, "The Old Doll's House", now in production.

THE FAIREST OF ALL TESTS

PRODUCT: Tums (Stack-Goble Agency)
PROGRAM: New York Pot O' Gold
TIME: Wednesday, 8:30–9:00 p.m.
STATIONS: WMCA and two other independents
RESEARCH: C. E. Hooper Report, May and June, 1941

10.5% *of all listeners tuned in to WMCA*

5.2% *of all listeners tuned in to Station B*

1.3% *of all listeners tuned in to Station C*

TRY to figure out a fairer test of station effectiveness than this: Tums airs the *identical* program over three New York stations at the *same time. There are no variables except the difference between stations.* What station has the greatest listener loyalty—what station do New Yorkers *prefer* to tune in? The result of this scientifically accurate test is shown above. Far more listeners were tuned in to WMCA than the other two stations *combined. Twice* as many were listening to WMCA as to Station B, *eight* times as many as to Station C. It proves once again that the habit of tuning in to WMCA is most deeply ingrained—that an advertiser can reach a larger and more loyal audience through WMCA.

FIRST ON NEW YORK'S DIAL . . . 570 KC.
AMERICA'S LEADING INDEPENDENT STATION
WMCA

NEW YORK: WMCA Building, 1657 Broadway • **CHICAGO:** Virgil Reiter & Co., 360 N. Michigan Ave.

An Advanced Communications Design

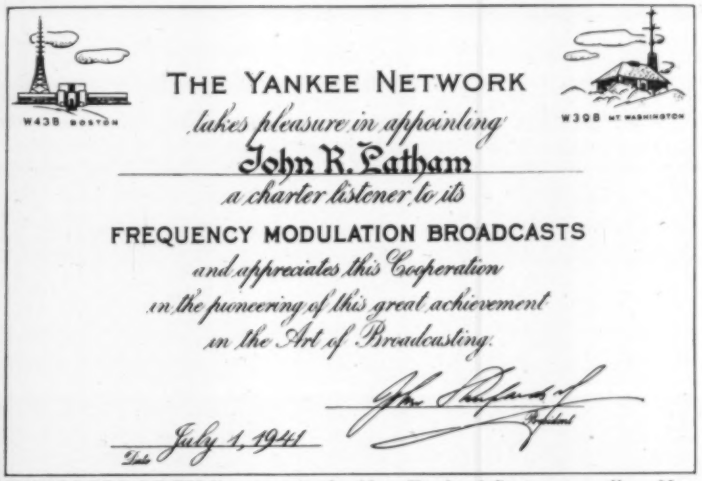
THE Skyrider 32

The new 1942 Skyrider 32 is a moderately priced communications receiver that will deliver high quality performance. Covers everything on the air from 500 kc. to 40 mc. Thirteen tubes, six bands. Two stages preselection. Calibrated bandspread inertia controlled. Micrometer scale tuning inertia controlled.

Tone and AC on-off. Beat frequency oscillator. AF gain—RF gain. Crystal phasing. Adjustable noise limiter. Send-receive switch —AVC-BFO switch 80/40/20/10 meter amateur bands calibrated. Wide angle "S" meter. Push-pull high fidelity, audio output. 6-step wide range variable selectivity.

Engineered by Hallicrafters, the Skyrider 32 will produce superior communications performance at a moderate price.

the hallicrafters co.
CHICAGO, U. S. A.
USED BY 33 GOVERNMENTS
SOLD IN 89 COUNTRIES



HUNDREDS OF FM listeners in the New England States as well as New York, New Jersey and even Illinois have received engrossed parchment certificates like the one above announcing their appointment by the Yankee Network as "charter listeners to its frequency modulation broadcasts." It is planned to use the charter listeners organization to obtain suggestions for improving FM programs.

Requirements Governing Combination FM and Standard Antennas Elucidated

TO CLARIFY its requirements governing the location of antennas for FM stations on tower radiators of standard broadcast stations, the FCC on July 30 issued a statement covering application form requirements and elucidating its policy. Common antennas, it was stated, will be considered "independently of the operating and economic advantages which obtain through common location of two stations" but certain additional requirements must be met to insure against adverse effects upon the standard broadcast station.

At the same time the Commission addressed a letter to FM receiver manufacturers and others interested in FM, asking them to furnish test data on FM receivers now being produced on the plea that "the proper administration of this problem [location of high frequency broadcast stations] indicates the desirability of coordinating the Commission's standards concerning the location of FM transmitters with the characteristics of receivers which will be used by the general public." A six-page memo on blanketing effects with relation to areas, population density, field intensities, receiver terminal voltages, etc. is included with the request.

Common Towers

The statement on common FM and standard broadcast station tower radiators follows:

The purpose of the following is to clarify the Commission's requirements regarding the common location of antennas for high frequency (FM) broadcast stations with those of standard broadcast stations. (See Section 3.45 (e) of the *Rules Governing Standard and High Frequency Broadcast Stations* and Section 19 of the *Standards of Good Engineering Practice Concerning Standard Broadcast Stations.*)

The Commission will consider an application for authority to install the high frequency antenna in accordance with the principles set forth in the rules and standards for high frequency broadcast stations independently of the operating and economic advantages which obtain through common location of two stations. If the site and antenna system comply with the Commission's rules, certain additional requirements must be met in order to insure that the operation of the standard broadcast station is not adversely affected.

In the instance where the standard broadcast station involved employs a non-directional antenna, the licensee will be required to file FCC Form No. 306 giving new resistance measurements after the installation and testing of the high frequency broadcast antenna. During the installation of the antenna and until the new resistance determination is approved, the licensee should apply for authority to operate the station by the indirect method of power determination (informal application). Applications for license for the associated high frequency broadcast station will not be considered until Form 306 is filed for the standard broadcast station.

When it is proposed to install a high frequency antenna on one element of a standard broadcast directional antenna, it will be necessary to file application for modification of construction permit for the standard broadcast station. The granting of the modification for the standard station will, of course, be contingent upon the granting of the construction permit for the high frequency broadcast station. FCC Form No. 304 should include a complete engineering study setting forth fully the effect of the high frequency antenna upon the operation of the standard broadcast antenna system. Depending on the individual case, the Commission may require certain field measurements on the standard broadcast station following the installation of the high frequency (FM) antenna system. The application for license to cover the construction permit for the FM station will not be considered until the licensee has made a satisfactory showing with Form 302 that the installation of the FM antenna has not adversely affected the operation of the standard broadcast station.

The installation of the high frequency antennas on towers of standard broadcast stations may require certain additional lighting. The applicant should supply complete information showing the mechanical details thereof so that the additional hazard of air navigation may be evaluated together with the additional lighting which may be required.

HALIFAX, NOVA SCOTIA

Where more radio sets are located than any other centre of the Maritimes.

Halifax is served by the key station of the Maritimes

CHNS

JOS. WEED & CO.
350 Madison Avenue, New York
Representatives

Non-Commercial FM Is Given City of Chicago

PROPOSING to render an educational service to the elementary, high school, junior college and adult educational classes of the Chicago public school system, the Chicago Board of Education on July 29 received a construction permit for a new non-commercial educational FM station, the seventh such station authorized by the FCC. The 42.5 mc. channel will be utilized for the FM emission with 1,000 watts power.

The Board, according to the FCC, has made a $10,750 appropriation for the new undertaking and proposes to locate its transmitter at 228 North LaSalle St. Currently the Board is broadcasting approximately 25 programs weekly over local standard stations and with its new facilities will transmit scholastic programs during the school hours and perhaps for one hour in the evening five times weekly. Subjects will embrace music, art, science, literature, news, social studies, safety, national defense and Pan Americanism.

New FMBI Bulletin

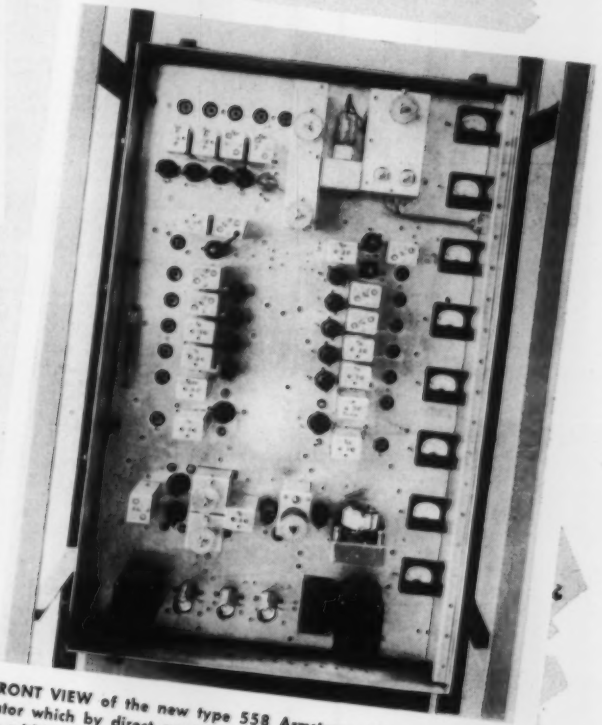
TO KEEP the advertising fraternity abreast of developments in the field of frequency modulation, FM Broadcasters Inc., has started a mimeographed bulletin which will be sent regularly to advertisers and advertising agencies. First number, dated July 28, lists the 12 commercial FM stations now in operation, with details of service areas, mentions the 41 additional stations approved by the FCC and now being constructed and discusses the matter of coverage by FM, with all stations in any city supplying identical signal coverage regardless of power.

THE IMPORTANCE of American shortwave programs in bringing the French people messages of hope and confidence has been publicized in the collection of letters received by NBC's international division and printed in the book *They Speak for a Nation*, by Eve Curie, Philippe Barres and Raoul de Roussy de Sales, published July 25 by Doubleday, Doran & Co.

RADIO ENGINEERING LABORATORIES ANNOUNCES A COMPLETE NEW LINE OF FM "DL" BROADCAST TRANSMITTERS OF 100 TO 50,000 WATTS, FEATURING THE ENTIRELY NEW VERSION OF THE ARMSTRONG PHASE SHIFT MODULATOR

This new modulator is built directly into the 250 and 1000 watt basic transmitters so that either of these units can be used as a driver for amplifiers of higher power.

UNEQUALLED PERFORMANCE has resulted from the introduction of this new modulator—not theoretical but actual measured results—on the air—beyond all expectations. Panel swings out of its cabinet giving maximum responsibility to all tubes and tuned circuits.



FRONT VIEW of the new type 558 Armstrong Phase-Shift Modulator which by direct crystal control maintains frequency stability to within better than 200 cycles of the operating frequency. The noise level, including hum, is materially below 70 DB. Overall distortion less than 1%, and in the useful frequencies is less than .2 of 1%.

Since the beginning of FM, industry leaders have chosen REL FM equipment . . . outstanding broadcasters such as FM inventor Major E. H. Armstrong, John Shepard, Paul DeMars, Bill Scripps, Walter Damm, Clarence Wheeler, Roger Clipp, John Hogan, Dr. Manson. To protect your investment in FM, be sure to investigate REL's complete new line of DL transmitters before you buy.

RADIO ENGINEERING LABORATORIES, INC.

35-54 36th Street — Long Island City, N. Y.

Phone, Ravenswood 8-2340 — Cable "RADENGLABS"

NO SALES SIZZLE IN FRY (Ky.)!

Not on your skillet would we brag about our coverage in Fry (Ky.)! Y'see, Fry (like so many other "towns" in Kentucky) just doesn't have the cash to put sizzle in sales. But, *boy!*—there's plenty of sizzle in the Louisville Trading Area, where new defense payrolls alone exceed $5,000,000 a month! And WAVE covers the whole Area—at rates that make us a bargain buy! May we cook up some business for you?

LOUISVILLE'S WAVE

5000 WATTS . . . 970 K. C. . . . N. B. C. Basic Red

FREE & PETERS, INC.
National Representatives

Agencies

TOM HEDIGER, NBC Hollywood writer-producer, has been granted a 13-week leave of absence to join J. Walter Thompson Co., Hollywood, in a similar capacity. He is writing for the NBC *Kraft Music Hall*, sponsored by Kraft Cheese Co., and will also produce the weekly CBS *Shell Goes to a Party*, which starts Aug. 7 under sponsorship of Shell Oil Co.

H. R. COCKFIELD, managing director of Cockfield, Brown & Co., Montreal agency, has been appointed director of aluminum production and distribution of the Department of Munitions & Supply, serving without pay. He has been acting in a similar capacity in Canada for the British Ministry of Aircraft Production, whose purchases are now being transferred to the Munitions & Supply Department. He will be stationed in Montreal.

NORMA GIBB, space and timebuyer at J. Walter Thompson Co. Ltd., Toronto, has been made a lance-corporal in the St. John's Ambulance Brigade.

CLARA PETERSON, formerly with the San Francisco offices of McCann-Erickson and Beaumont & Hohman, has been made production manager of Sidney Garfinkel Adv. Agency, San Francisco.

EDWARD G. LANSDALE, account executive formerly of Theodore H. Segall Adv. Agency, San Francisco recently joined the Leon Livingston Agency in the same capacity.

WILLIAM C. HODAPP, for the past six months radio director of Grant Adv., Chicago, has resigned to do free lance writing and directing. No successor has been chosen as yet.

CHARLES M. ROBERTSON Jr., radio director of the Ralph H. Jones Co., Cincinnati, is awarded an admiralty of the American Airlines flagship fleet by J. R. Merrill, district manager of the airlines. The award was made "in recognition of Robertson's consistent and meritorious service which contributed materially to the increased public use of air transportation." Mayor Stewart of Cincinnati presented Robertson with an Admiral's hat and sword. Left to right are Mr. Robertson; Max Schulman, manager of the Netherland Plaza; Mayor Stewart; Ralph H. Jones, president of the Ralph H. Jones Company; Mr. Merrill; Charles M. Robertson Sr., vice-president of the Kroger Grocery & Baking Company; Miss Jackson, American Airlines stewardess; and James D. Shouse, vice-president and general manager of WLW-WSAI.

L. A. Agents Licensed

LOS ANGELES Board of Supervisors' decision to impose an annual license fee of $100 on all talent agents who do business within the city limits, regardless of where their offices might be, threatens to disrupt operation of many. The agents, most of whom are headquartered either on the Los Angeles county strip, or in Beverly Hills, Cal., are bitterly protesting the move since they are already paying State and county licenses. Additional tax, it was pointed out, will amount to about $15,000 per year, coming from approximately 150 talent agents. Artists Managers Guild is expected to take up the fight in protest, with legal action to follow. Agents fear that such a precedent set by Los Angeles will spread to such adjoining incorporated communities as Burbank, Beverly Hills, Culver City and Universal.

AP LISTENING POST SET UP IN NEW YORK

THE Associated Press is establishing its own "listening post" for checking communiques broadcast from all parts of the world at Northcastle, Westchester County, N. Y., about 25 airline miles from Manhattan. Operations will begin immediately under direction of Stanley Wolff, who formerly headed the shortwave staff of the *New York Herald Tribune*, although construction of a rhombic antenna array and installation of high-speed recording apparatus will take several months to complete.

The post's staff, which will be on duty 24 hours a day seven days a week, will concentrate on communiques broadcast in International Code rather than voice messages, Mr. Wolff said, explaining that the code messages, which are broadcast chiefly for the benefit of newspapers and news agencies throughout the world, usually precede the voice transmission. When completed, the post will be the most complete in the country and probably in the world, Mr. Wolff said.

JAMES L. SAPHIER, Hollywood radio talent agent, continuing to operate his own offices in that city and New York, has taken over the radio department management of Sam Jaffe Inc., West Coast talent service.

AGENCY Appointments

BLENHEIM SILK HOSIERY Co., Blackwood, N. J. (hosiery), to Wettlin & Co., Camden, N. J.

WESTINGHOUSE Electric & Mfg. Co., New York, to Young & Rubicam, New York, for general advertising. Merchandise lamps and apparatus by Westinghouse continue to be handled by Fuller & Smith & Ross, New York.

PROCTER & GAMBLE, Cincinnati, to The Biow Co., New York, for Lava soap, effective approximately Sept. 1.

GIMBEL BROS., New York (department stores), to Arthur Kudner, New York, to handle a special advertising campaign during 1942 on the 100th anniversary of the stores' founding. Plans not yet formulated.

CALIFORNIA MISSION PAK, Los Angeles (glazed fruits, candies), to Allied Adv. Agencies, Los Angeles. Extensive two-week California transcribed announcement campaign planned to start about Dec. 1.

GOODALL WORSTED Co., Sanford, Me., and Goodall Co., Cincinnati, to Ruthrauff & Ryan, for Palm Beach suits and Goodall fabrics.

ALBERS MILLING Co., Seattle, to Lord & Thomas, San Francisco, effective Oct. 1.

U. S. A. PUBLISHERS, Chicago (*Our Country* magazine) to First United Broadcasters, Chicago, Radio to be used in the fall.

CROWELL-COLLIER PUBLISHING Co., New York (*American* magazine), to Blackett-Sample-Hummert, Chicago.

ENGELS & KRUDWIG WINE Co., Sandusky, O., (E&K wines and vermouth) to Sterling Beeson Inc., Toledo. Using radio.

NEWELL-GUTRADT Co., San Francisco (soap and cleansers) to Botsford, Constantine & Gardner, San Francisco.

King-Prince Starts Service

KING-PRINCE PRODUCTIONS, new West Coast transcription-production unit and dramatic library service, has been established at 6110 Pacific Blvd., Huntington Park, Cal., with Hilton Boyd as president and business manager. Hal Morrow is in charge of production. Composite custom built recording equipment has been installed under direction of Robert Steele, chief engineer. Besides building live and transcribed shows to agency and sponsor order, and operating its library service, the firm also conducts a script service headed by Al King as story editor. Allen Hall, formerly head of the Allen Hall & Co. Inc., Muskogee advertising agency, is sales manager and public relations director.

A DOZEN TONGUES . . .
A SINGLE THOUGHT

★

The principles of democracy, the ideals of freedom are not the individual possession of one people or of one language. Rather it is the deep heart-felt expression of many people speaking many different languages.

Thus it has been given to WHOM to broadcast in many different tongues this loyal defense for American ideals of Democracy.

★

THESE 5,000,000 PEOPLE ARE WELL WORTHY OF CULTIVATION
YOUR PRODUCTS—YOUR SERVICES FALL UPON RECEPTIVE EARS

WHOM

1480 KILOCYCLES
FULL TIME OPERATION
29 WEST 57TH ST., NEW YORK
Telephone Plaza 3-4204
JOSEPH LANG, *Manager*

AMERICA'S LEADING FOREIGN LANGUAGE STATION

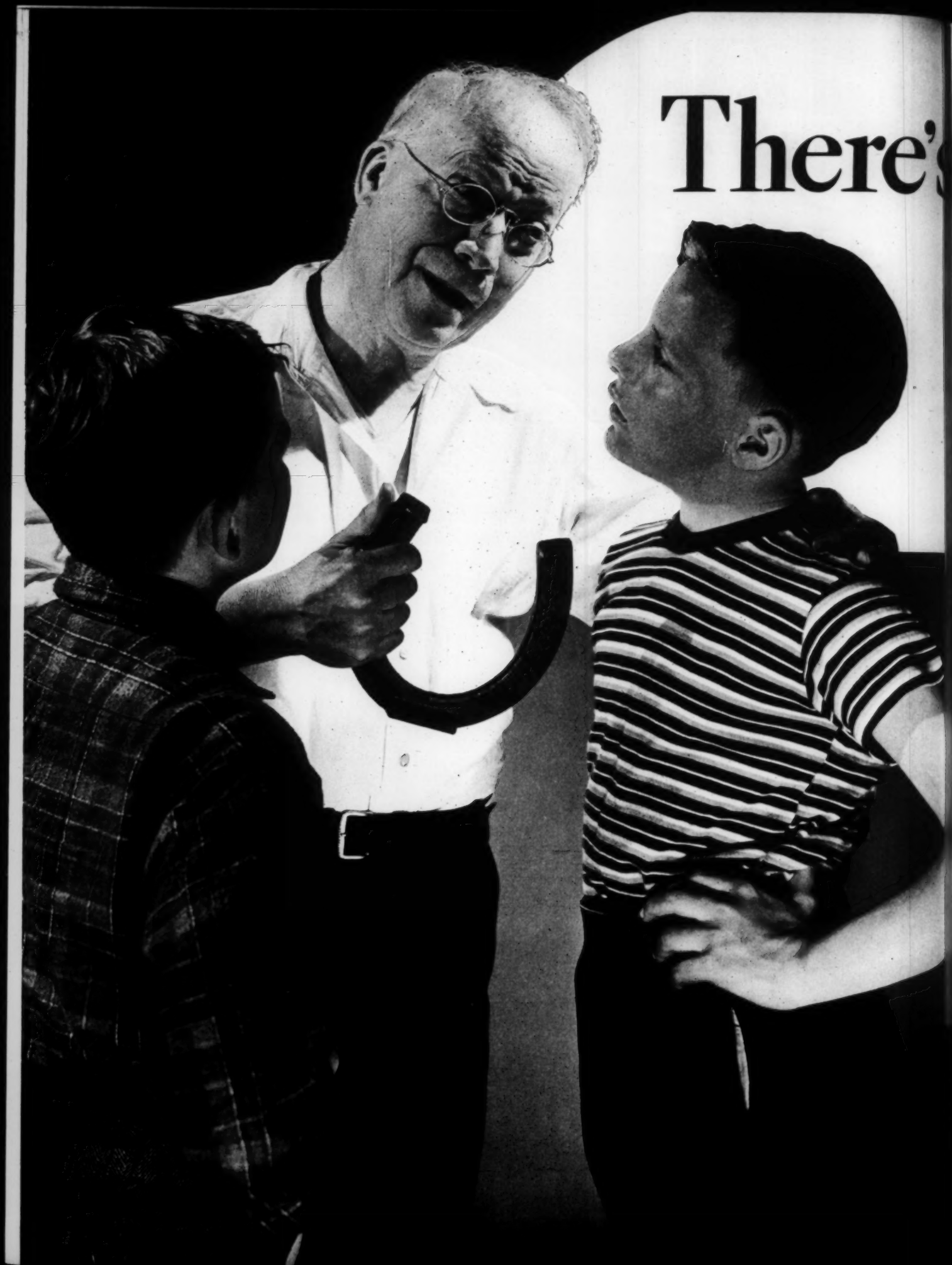
STANDOUT

SERVICE TO THE FARMER

560 Kc.—C.B.S.

Affiliated in Management with the Oklahoma Publishing Company and WKY, Oklahoma City—Represented Nationally by the Katz Agency, Inc.

STANDOUT RESULTS FOR FARM ADVERTISERS


There's

more than luck in HORSESHOES

"Aimin' 'em straight, tossin' 'em true . . . that's the way to play the game, boys, 'stead of just flingin' 'em out and trustin' to luck."

* * *

SMART BUYERS of radio advertising don't trust to luck, either. *They* know that the greatest sales-return per dollar comes from selling messages sent straight and true into the *most active* markets.

Number One Market of Industrial America is the famous Golden Horseshoe—the territory blanketed by WJR and WGAR. It's busy and prosperous under normal conditions. It's booming under the pressure of national defense work.

And here in this great market—where wheels of industry turn day and night; where payrolls are mounting every day; where there's more money earned, more money spent—advertisers don't depend on luck. They make certain of going straight and true. They *score* with WJR and WGAR!

THE GREAT STATIONS OF THE GREAT LAKES

WJR THE GOODWILL STATION *Detroit*

WGAR THE FRIENDLY STATION *Cleveland*

G. A. RICHARDS
President

Basic Stations · Columbia Broadcasting System · Edward Petry & Co., Inc., National Rep.

BROADCASTING and Broadcast Advertising

MARTIN CODEL, Publisher
SOL TAISHOFF, Editor

Published Weekly by
BROADCASTING PUBLICATIONS, Inc.

Executive, Editorial And Advertising Offices
National Press Bldg. ● Washington, D. C.
Telephone—MEtropolitan 1022

NORMAN R. GOLDMAN, Business Manager ● BERNARD PLATT, Circulation Manager
J. FRANK BEATTY, Managing Editor ● W. R. McANDREW, News Editor

NEW YORK OFFICE: 250 Park Ave., Telephone - PLaza 5-8355
BRUCE ROBERTSON, Associate Editor ● MAURY LONG, Advertising Manager

CHICAGO OFFICE: 360 N. Michigan Ave., Telephone - CENtral 4115 ● S. J. PAUL

HOLLYWOOD OFFICE: 1509 N. Vine Street, Telephone GLadstone 7353 ● DAVID H. GLICKMAN

Subscription Price: $5.00 per year—15c a copy ● Copyright, 1941, by Broadcasting Publications, Inc.

Silly But Serious

SOMEWHERE, very probably, there is a newspaper publisher or stockholder, or an employe of a newspaper or farm paper or trade journal, who happens to own a share of stock in RCA, CBS, General Electric, Westinghouse, Travelers Insurance Co., or some other big organization having direct or subsidiary holdings in broadcast licenses. Ergo, shouldn't such licensee stations be classified as "newspaper stations" under the broad and vague method of counting up the 298 stations said to be identified with publication interests, as disclosed in the FCC's hopelessly jumbled list?

We found a score or more silly errors in the Commission's master list (Exhibit I) as introduced at the opening press-radio hearings, and many more doubtless will be pointed out. Yet the Commission's list of 298, including some radio-newspaper affiliations long since abandoned and some alleged affiliations with non-existent or unidentified newspapers, is used as the base for earnings statistics, percentages etc. that many will regard as official simply because they bear a Government imprimatur.

The Commission itself never kept records of minority stockholdings in licensee companies until a few years ago, yet undertakes to present a table (from unofficial sources) of trends in newspaper ownership. Relying on trade sources, it apparently did not bother either to look up its own present records, which are currently supposed to be complete for each station, or to undertake to determine exact newspaper connections of stockholders in its otherwise exhaustive questionnaires.

The score or more errors we point out in this issue and last, plus others that doubtless will be brought forth, would be ludicrous if the whole newspaper-radio probe and all its implications of attempting to reach the press via its radio holdings were not so serious. Reporters covering the hearings got many a chuckle out of the elementary stuff, the high school questions propounded by counsel, that marked its outset.

It would seem that a definition of what constitutes a newspaper station, and hence what constitutes "newspaper influence," would be the first order of inquiry if there must be an inquiry. But, no, imposing sheafs of mimeograph matter, including the purported affiliation list and the statistics based on it, came first—their readily avoidable errors and their far-fetched identifications of stations with publications appearing more than often ridiculous. If WLW, WHO and WNEW are "newspaper stations" simply because some one member of their board is connected with a newspaper or happens to hold a share or two of stock in a newspaper company, we confess our despair at ever arriving at a definition. If the five stations with definite newspaper connections in Hawaii and Alaska are not to be included in the Commission's exhibit (and they weren't), then we must admit that Hawaii and Alaska are foreign countries.

The Commission will, of course, correct its list and revise its tables as the boners are brought to its attention. But the carelessness and inaccuracies of the initial exhibits, not to mention the original slanted questionnaires and the trend of the questioning at the hearings, should provide food for thought to everyone engaged in the radio and newspaper businesses, whether related to one another or not.

Coordinator LaGuardia?

IT DOESN'T TAKE a sage to deduce that the "business as usual" slogan belongs to another era. The whole American economy is undergoing fundamental change, and it bodes no good for business. Radio is no exception.

In the preparation for our participation in a shooting war, many things already have happened affecting broadcasting. Others are on the way but the courses they will take will depend upon the degree of hysteria provoked and the ability of the industry to keep its head.

International broadcasting, at the moment, is most vulnerable. There is a possibility, we think, that Uncle Sam will intercede, because of the inherent importance of foreign propaganda in modern war technique. Col. William J. (Wild Bill) Donovan, a fighting man and an attorney, as the President's Coordinator of Information is the new key figure in this field. He is currently devising means of coordinating international broadcasting in the best interests of the hemisphere.

Of itself, international broadcasting is not a major function of the broadcasting industry, operated under the American Plan. But because it is an adjunct of broadcasting, anything that may happen to it is of basic importance to the whole industry. If the proper sort of coordination, from the propaganda standpoint, is not possible under existing management, then perhaps the programming should be directed and paid for out of public funds "for the duration". The Government, through the Rockefeller Committee, is about to purchase $200,000 in time, which would be tantamount to block-time buying, from WRUL, in Boston. It could do the same with the Westinghouse, NBC, CBS and GE outlets.

In the domestic sphere, defense propaganda falls under the aegis, it appears, of the Office of Civilian Defense, headed by New York City's dynamic Mayor LaGuardia. He is responsible for civilian morale and for coordination of domestic communications under emergency conditions. It is logically deduced, therefore, that Mr. LaGuardia will eventually absorb the function of coordinator of morale. This may carry with it the function to clear time nationally over the entire roster of stations for maintenance of morale and as a means of keeping the populace informed.

Mayor LaGuardia, as head of the municipally-owned WNYC, New York, hasn't been any too complimentary to commercial broadcasting in his quest for fulltime through a clear channel breakdown. While a member of Congress years ago, he was a stout defender of ASCAP, and didn't pull his punches in criticizing broadcasting. But despite all that, one cannot question his sincerity and patriotism. If LaGuardia becomes the coordinator, the industry will work with him.

Yet in abnormal times the ordinary checks and balances are non-existent. Delegation of power to perform a specific function may be abused. The controls may get out of hand, as has been the case with the FCC. Then, in a war emergency, the pace toward full-governmental control might be so swift that nothing could stop it.

Broadcasters know the best job for the nation can be and is being done under the existing structure. The industry must exercise extreme diligence daily, in fact hourly, to avoid any fanatical rush that might spell the end of a "free radio" overnight.

Toward 10 Kw. Day

THE CURRENT move toward lifting the power ceiling of regional broadcast stations from 5,000 to 10,000 watts daytime, should be welcomed by public, industry and government alike. Entirely feasible technically, according to engineers, it would permit stations to increase daytime coverage by about 40% in the areas that need it most—rural and semi-rural areas contiguous to markets.

People now listen daytime more than ever before. Advertisers are aware of the desirability of daytime hours and are buying more and more of them. With increased coverage providing primary service to areas which now are not receiving adequate signals from regional stations, daytime hours will become correspondingly more important, and will warrant better rates.

Adding it all up, there would be nothing to lose (save for the investment in building up 5,000-watt transmitters to the higher output) and everything to gain. Any move that tends to improve signal strength without causing interference certainly should receive prompt and wholehearted approval of the FCC, the public and the advertisers.

We Pay Our Respects To —

WILFRED STRICKLAND KING

WHEN THE NEWS got around, late in 1938, that *Information Please* had a sponsor, there was a certain amount of chagrin in several quarters. Other sponsors, it seems, were just about ready to sign a contract for this series which had proved so popular during the six months it had been on the NBC-Blue Network as a sustaining feature.

Wilfred Strickland (Bill) King, director of the radio department of J. M. Mathes Inc., had got there first for Canada Dry. And for the two years the series was under his supervision it kept gaining in popularity, despite the fact that many fingers were kept crossed when *Information Please* was put to work to sell as well as entertain.

There is a certain brashness about Bill King. Once convinced an idea has merit he is perfectly willing to stick out his neck to promote it. More recently, since *Information Please*, he was instrumental in placing *Duffy's Tavern* under the sponsorship of the Schick Injector Razor Co. Here was a show that had been tried out only piecemeal.

Now off the air for the summer, it was acclaimed by radio editors as one of the most promising new comedy shows to hit the air in several years. Predictions are risky in radio, but King will give you odds on a growing Crossley when *Duffy's Tavern* reopens in September.

Bill King has been around New York longer than most advertising men, having been born in the metropolis Nov. 3, 1905. Even his collegiate career didn't take him away from the city, since he selected Columbia U as his alma mater. From there he went to the North British & Mercantile Insurance Co., where he was assistant advertising manager.

His first connection was made in 1925 when he joined the trade paper copy division of the George Batten Co. of New York, which was later to merge with Barton, Durstine & Osborn. Later he became radio director of H. W. Kastor & Sons. In 1933 he joined the radio department of J. M. Mathes Inc.

Radio, however, is only part of Bill's job. In the last few years there has been a growing use of motion pictures by clients of the Mathes agency, and the official name of King's division is Radio & Motion Picture Department. As a result, he commutes between New York and California, and probably spends as much time on motion picture sets as he does in radio studios.

This contact with the movies has infected him with the picture virus as a hobby. Important among his traveling effects are a still camera and a movie camera, and he collects lenses. His associates point out a strange coincidence about his pictures—the best ones are made when he is on the Coast. It is their conviction that he persuades the movie companies to assign a professional cameraman to film his best personal productions.

In a field where temperament often commands a premium, King employs no act to denote his position. Around the studios he remains in the background, wearing a worried look and letting others wave their arms and raise their voices. However, while he does nothing to impress the studio audience, everyone else present is aware of his contributions to the particular show being broadcast.

George E. Cullinan

GEORGE E. CULLINAN, who retired last December as senior vice-president of Graybar Electric Co., died July 25 after a heart attack. Mr. Cullinan, 62, joined Western Electric Co. in 1901, becoming general sales manager of that company in 1923. In 1926 he became vice-president in charge of sales of the Graybar Co.

Personal NOTES

WAYNE STEFFNER, account executive, formerly of KSFO, San Francisco, on Aug. 1 became San Francisco representative for Radio Sales Inc., CBS sales organization. He succeeded Gordon Owen, who resigned to take a commentator's position on KSFO.

NORMAN V. CARLSON, business manager of the transcription department of Photo & Sound, San Francisco, recently was called to active service in the Army and ordered to report to Washington, D. C. He holds a reserve commission as captain.

HAL HUDSON, CBS-Pacific Coast Network commercial program manager, has sold his fourth film play, "Sled Train", to Paramount Pictures Inc.

SYDNEY GOLD, general manager of Associated News Service, affiliate of Elliott Service Co., New York, now celebrating its 30th anniversary, is planning a trip to the West Coast visiting stations throughout the country on the way. Mr. Gold will present an advertising promotion idea to stations in connection with the current defense program.

A. A. SCHECHTER, NBC director of news and special events, on July 26 left for the West Coast on a month's business trip to line up NBC newsmen, with special reference to broadcasts from the Orient.

SAMUEL R. ROSENBAUM, president of WFIL, Philadelphia, resigned last Monday (28) as president of the Robin Hood Dell, outdoor summer symphony concert series in Philadelphia, stating that his action was because of the pressure of other business interests.

SIDNEY ROBBINS, formerly of the commercial department of WALA, Birmingham, and WINS, New York, has joined the sales staff of WWRL, Woodside, N. Y.

LELAND POWER has resigned as coordinator of research of the Federal Radio Education Committee and as editor of the *FREC Service Bulletin*, his duties being taken over by William Dow Boutwell, chief of the U. S. Office of Education Division of Radio, Publications & Exhibits.

MILLER C. ROBERTSON, for six months in charge of local sales at KMBC, Kansas City, has been named assistant sales manager.

SAM H. BENNETT, sales director of KMBC, Kansas City, has been named representative of the 10th District sales managers division of the NAB.

R. G. BUCKINGHAM, for the last two years merchandising and production director of CKNX, Wingham, Ont., resigned Aug. 1 to succeed A. C. Rogers Jr., publisher of the *Kincardine News*, recently called into the Royal Air Force.

JACK CAMPBELL, sales promotion manager of KPO-KGO, San Francisco for the last four months, has resigned and no successor has been named as yet. Before joining NBC, Campbell was advertising manager of the Langdorf Bakeries and then sales promotion director of a large whiskey firm.

HARRY MAIZLISH, manager of KFWB, Hollywood, and Ruth Morse of New York, were married July 1 in Hollywood, it was revealed recently.

JOHN E. THAYER, commercial manager of WWNC, Asheville, N. C., has been appointed chairman of the Civil Service Board of Asheville.

BERT GEORGES has been appointed by R. G. LeTourneau, owner of WRLC, Toccoa, Ga., and WHEB, Portsmouth, N. H., as director of both stations, and is currently dividing his time between the two. Mr. LeTourneau is the millionaire philanthropist and head of the LeTourneau Co., manufacturers of heavy grading machinery with plants in Toccoa and Peoria, Ill.

MARSHALL SHANTZ Jr., program director of WJTN, Jamestown, N. Y. has been appointed a flying cadet in the Army Air Corps.

CHUCK OSTLER, of the transcription department of WLS, Chicago, is the father of a boy, Patrick James, born recently.

ALBERT N. WILLIAMS, NBC producer-director, on Aug. 1 resigned to become radio director of the Council For Democracy, New York.

MILES MacDONALD of Chicago has been added to the sales staff of WCKY, Cincinnati.

ALBERT C. PARLIN, formerly of the commercial department of WINX, Washington, has joined WLOG, Logan, W. Va.

Palmer to WCKY

FRED PALMER, former vice-president and general manager of KOY, Phoenix, Ariz., has been named sales manager of WCKY, Cincinnati, by L. B. Wilson, president and general manager of the station. Palmer will assume his new post Aug 1. Before going to Phoenix, where he was president of the Advertising Club and vice-president of the Arizona Network, Mr. Palmer was president and general manager of WBNS, Columbus, O. and was founder and first president of the Ohio Assn. of Broadcasters.

W. A. Wolff

W. A. WOLFF, 58, information manager of Western Electric Co. and Electrical Research Products Inc., died July 24 during a vacation trip to Maine. He had been ill for several months at his home in Woodmere, L. I. Mr. Wolff was advertising manager of Western Electric and ERPI from 1929 until he became information manager in 1940. Born in New York in 1883, he was graduated from the Columbia U engineering school in 1905 with an electrical engineering degree, entering the Western Electric student training course the same year. He is survived by his wife, Dr. Harriette Hart Wolff, and three children, John, Catherine and Dorothy.

James G. Gies

SIX staff members of WNAX, Yankten, S. D., acted as pall bearers for James G. Gies, merchandising manager of the station, who died July 20 from complications following an appendectomy. Mr. Gies had been a member of the WNAX staff since 1938 and had recently been put in charge of the merchandising department. The funeral was in Bloomfield, Neb., his home.

Calvin M. Franklin

CALVIN M. FRANKLIN, 50, secretary of Columbia Concerts Corp., and vice-president of the Arthur Judson concert service, New York, died July 23 at Logan, Pa., following a heart attack. Surviving is his widow, Kathryn Meisle, Metropolitan opera contralto.

BEHIND the MIKE

RICHARD LINKROUM, for the last three years operations supervisor in the CBS production department, has joined the CBS program service department to serve in a general capacity and also as CBS contact on the *Maj. Bowes Amateur Hour*.

DAVID ROSE, musical director of the Don Lee Network, and Judy Garland, movie star, were married July 28 in Las Vegas, Nev.

RAY MORGAN, formerly of WCOP, Boston, has joined the announcing staff of WINX, Washington.

RAY NOBLE has been signed as musical director of the weekly NBC *Chase & Sanborn Show*, sponsored by Standard Brands Inc. (coffee), when the program resumes in fall. He replaces Robert Armbruster, with the deal calling for Noble's orchestra, twin girl vocalists and a male chorus.

BOB POLLOCK, assistant production manager of WSB, Atlanta, has been called to active duty with the Army. Holding a second lieutenant's commission, Pollock will be stationed at Atlanta, serving in the Morale Branch.

IRENE KUHN, former New York newspaperwoman who has been in the NBC press department, has been transferred to the NBC promotion department under Ken R. Dyke, NBC director of promotion.

LEE BLAND, program director of WFMJ, Youngstown, O., is convalescing after an appendectomy.

'Henry' Is Drafted

INDUCTION of Ezra Stone, radio's *Henry Aldrich*, into the Army at Camp Upton, Long Island, July 23, will not disrupt the plans of General Foods for continuing *The Aldrich Family* on NBC-Red in its regular Thursday evening spot, according to Young & Rubicam, the agency. Program is currently taking a summer layoff, but will return to the air Aug. 21, probably with a substitute "Henry," although there is a possibility that arrangements may be made for Stone to continue in the role, with the broadcasts originating from Camp Upton.

CLAUDE SWEETEN, musical director of KFI-KECA, Los Angeles and Jack Owens, vocalist on the stations, collaborated in writing the song, "When Love Is New", which will be featured in the new Dr. Christian film to be released through RKO.

KEN NILES and Tom Hanlon, CBS Hollywood announcers, as well as Sam Balter, KHJ, Los Angeles, sports commentator, have been signed by Columbia Pictures Corp. to play themselves in the film, "Harmon of Michigan", now in production.

JOY STORM, NBC Hollywood announcer, has been appointed Western division special events director, succeeding Don Thompson, now in the Navy. Storm has been with NBC since 1937, and before that was program director of KQW, San Jose, Cal.

BOB STEPHENSON has taken over the NBC Hollywood production assignment vacated by Ted Hediger, who joined J. Walter Thompson Co., that city, as writer-producer, under a leave-of-absence from the network.

ED CANEPA, formerly announcer of KWSC, Pullman, Wash., recently joined KSRO, Santa Rosa, Cal.

ELINOR CANNON, secretary to Arthur J. Kemp, Pacific Coast CBS sales manager, recently announced her engagement to Joseph W. Robinson of San Francisco.

CHARLES GARLAND, formerly in newspaper promotional work, has joined KMPC, Beverly Hills, Cal., as publicity director.

BILL HENRY, CBS commentator, and *Los Angeles Times* columnist, will narrate opening sequences of the film, "Harmon of Michigan," being produced by Columbia Pictures Corp.

ALICE McAULEY, of CBS Hollywood script department, has been promoted to studio ticket department director, replacing Anita Harryman, who has been transferred to a secretarial post.

ALFRED COHN, staff musical arranger of WTIC, Hartford, has had two string transcriptions published by BMI.

DONNASUE LOHMEYER, "June Martin" of KMBC, Kansas City, was married to John Boe July 19. Members of the KMBC staff furnished the vocal selections at the ceremony and entertainment at the reception which followed.

BILL WELLS, formerly of WMPS, Memphis, Tenn., has joined the announcing staff of WCKY, Cincinnati.

RUSSELL E. OFFHAUS, known as "Farmer Russ" on WCOP, Boston, is the father of a 7 lb. 12 oz. son, Russell Reid, born July 13.

WOODY HATTIC, director of agriculture of WWL, New Orleans, returned last week from Mexico, which he toured as special representative of the Louisiana Department of Agriculture.

BERNIE SMITH, for the last four years publicity director of KFI-KECA, Los Angeles, has been appointed agriculture director of the stations. Virginia West is temporarily holding down the post of publicity director until Smith's successor is appointed.

BARCLAY ALLEN, staff artist of KLZ, Denver has just written a new song, "Let's Keep Those Stars in the Blue". Allen has had several songs published by BMI.

DERBY SPROUL, production manager of KLZ, Denver, has been named radio director of the publicity committee of the Denver Citizens' Safety Program. KLZ is carrying an extensive campaign of programs and announcements in connection with the traffic safety drive.

TED BAUGHN, formerly of KVI, Tacoma, and Kani Evans, formerly of KGU, Honolulu, have joined the NBC announcing staff.

DAVID NOWINSON, writer of KFI-KECA, Los Angeles, is the father of an 8½ lb. girl born July 24.

JOY STORM, NBC Hollywood announcer, is the father of a boy born July 23.

TOM HANLON, CBS Hollywood commentator, plays the role of a fight announcer in the MGM film, "Ringside Maisie", to be released soon.

NEIL McINTYRE, announcer, formerly of KSRO, Santa Rosa, Cal., has joined KJBS, San Francisco. He replaced Merle Peterson who left to join NBC.

JACK KIRKWOOD, master of ceremonies of the *Breakfast Club* released on the Don-Lee-MBS network, was painfully injured in an automobile accident July 26 in San Francisco. He suffered a broken rib and smashed left hand. Mrs. Kirkwood likewise was hurt.

STILL TIME TO MAKE IT!

The day isn't far off when WHN goes 50,000 Watts. With *maximum power*, *clear channel coverage*, *guaranteed time availabilities*, and *improved programming* in the nation's *number one market*, WHN will be the outstanding spot broadcasting buy.

Increased rates will take effect in the fall—but there's still time to buy 50,000-Watt coverage at a saving if you check the matter of *rate protection* now.

Call Bryant 9-7800 in New York City or Randolph 5254 in Chicago.

50,000 WATTS
UNDER CONSTRUCTION

WHN NEW YORK CITY

CHICAGO OFFICE:
360 NORTH MICHIGAN

It's a swell habit!
Asheville is again classed as a Preferred City by Sales Management. Expected increase in the sales-income status for September is 29% above that for the same month last year ... Asheville is in 16th place among all cities in increase.

Using WWNC is to cinch an abundance of sales. Try it ... for RESULTS!

WWNC
570 Kc. CBS Affiliate
ASHEVILLE, N.C.

BOB MOON, CBS Hollywood announcer, is recovering from a broken foot bone, an infected finger and a bruised head. The running board of his car is responsible for the first, the second remains a mystery, while the garage door contributed to the last named accident.

BETTY SHAY, assistant to Joseph Bell, NBC assistant director of production, left July 24 for five weeks at the Monomoy Theatre, Chatham, Mass., where she is producing plays. Miss Shay handles all auditions at NBC.

THERESA HOBRECHT, formerly with stations in Sacramento, Cal., has been added to the announcing staff of KLS, Oakland, Cal.

JACK BENNETT, announcer, formerly of KPO-KGO, San Francisco, has joined KGEI, General Electric shortwave station, San Francisco.

GEORGE T. CASE, new program director and production manager of WCFL, Chicago, is the father of a boy born July 19.

LESTER A. SCOTT, formerly of KNOW, Austin, Tex., has joined the announcing staff of KTEM, Temple, Tex.

JOE C. BURGER, formerly an independent producer of Dallas, has joined KTEM, Temple, Tex., as program director.

CAL FARLEY, sportscaster of KGNC, Amarillo, Tex., has been named district governor for Rotary International.

BEN ALEXANDER, NBC Hollywood commentator, and Elizabeth Robb, of J. Walter Thompson Co. production department, that city, were married July 23.

FULTON LEWIS jr., MBS Washington news analyst, on Aug. 4 will go on a three-week vacation, but will continue his Tuesday *Your Defense Reporter* programs on MBS. Frank Blair, of WOL, MBS Washington affiliate, will handle Lewis' Monday through Friday 7 p.m. programs on Mutual.

KENNETH CURTO, early morning announcer of WPRO, Providence, is the father of a baby girl, Wendy Ann.

BILL RATIGAN, formerly of KOA, Denver, has been transferred to NBC Hollywood as associate news editor, succeeding Albert Orrick. Stan Brown replaces him at KOA.

DAN SHEA has been added to the announcing staff of KFRC, San Francisco, to replace Art Van Horn, who plans to leave for New York early in August.

CALDWELL CLINE, formerly of WBT, Charlotte, and WLS, Columbia, S. C., has joined the announcing staff of WWNC, Asheville, N. C.

JOSEPH CORR, formerly of WBAB, Atlantic City, has joined the announcing staff of WDAS, Philadelphia.

HARRY WOOD, formerly of KYW, Philadelphia, and Frank Kent, from WHOM, Jersey City, have been added to the announcing staff of WPEN, Philadelphia.

BERNARD HERRMANN, CBS conductor and composer, and Mrs. Herrman, the former Lucille Fletcher, previously a writer in the CBS publicity department, are the parents of a daughter, born July 27.

DON CARTER has joined the announcing staff of KWBW, Hutchinson, Kan. In addition to his announcing duties he will also write, produce and present *The Woman's Club of the Air*, a new KWBW feature.

Meet the LADIES

VERE KNEELAND

LOOKING not unlike Myrna Loy, the lady who conducts *Listen Ladies* on KGW-KEX, Portland, Ore., is Miss Vere Kneeland, who can handle current news stories about women, advice on child training or household chatter with equal facility. Miss Kneeland not only writes her own scripts but can immediately step before the mike and read them. Department stores are her chief sponsors, interviews with visiting celebrities her forte.

EVERETT HOWARD has assumed the duties of music director of WFVA, Fredericksburg, Va.

Resuming Martha Deane Woman's Series, Aug. 4

WOR, New York, on Aug. 4 will bring back to the air *Martha Deane*, successful participating program, which went off the air early in January. Marion Young, for the last six years woman's editor of NEA Service, former foreign correspondent and expert on beauty, fashions and decoration, will fill the role of *Martha*, discussing subjects of interest to women.

The program was started in 1934 under direction of Mary Margaret McBride. She was replaced in September, 1940, by Bessie Beatty, who became such a personality on her own that the name of the show was changed to *Bessie Beatty* early in January. Now the *Martha Deane* name is to be brought back as a new 2-2:30 p.m. participating show, Monday through Friday. One sponsor has already been signed, with others expected shortly.

JONAS WEILAND, owner of WFTC, Kinston, N. C., and 50% owner of WMVA, Martinsville, Va., the latter which he proposes to dispose of, is 25% stockholder in the Coastal Broadcasting Co. Inc., applicant for a new station, 250 watts on 1450 kc., in New Bern, N. C. Other principals are Louis N. Howard, local clothing merchant, president, 28%; Ellis H. Howard, manager of his father's clothing business, secretary-treasurer, 28%; D. L. Ward, attorney, 2%; Ray Henderson, cigar and candy distributor, first vice-president, 1%; J. H. Jones, insurance and real estate man, 1%.

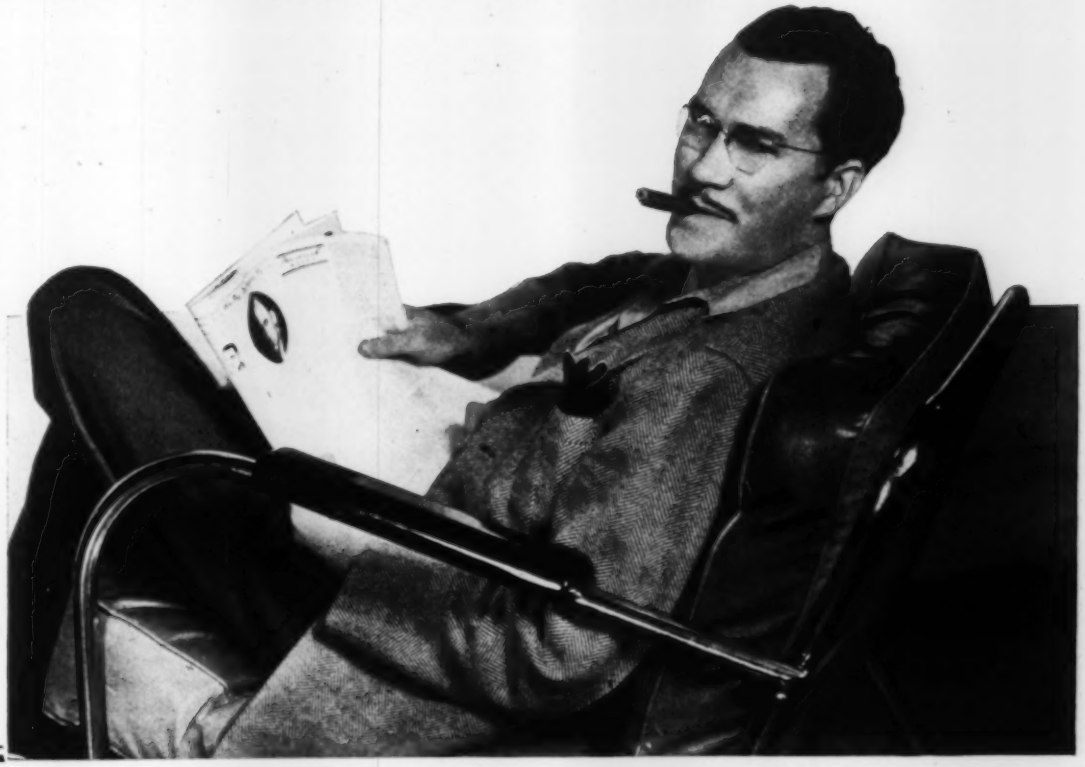
MYRON J. BENNETT

THE PARTICIPATING PROGRAM BUY IN ST. LOUIS

24.3% of the St. Louis audience was tuned to Bennett during a recent *Ross Federal audience check. Another station had 29.2% while others trailed with 23.5%, 10.7% etc.

This audience division unquestionably makes Bennett one of the best dollar buys in St. Louis and partially explains its unusual success with sponsors.

*792 coincidental telephone calls 1:45-2:45 p.m., Tuesday July 29



ST. LOUIS

KWK

Represented by Raymer

THE WAY HE HEERED IT!

WAS OVER KROD OF COURSE

● He lives quite a ways out on the ranges . . . or in the mountains . . . or the valleys of the El Paso Southwest. He's any one of thousands of radio listeners who, until KROD came along with 1000 watts power, never turned on his radio in the day time.* There wasn't any use. He was radio-isolated . . . just plain too far away from anywhere to get good reception in the day time. Now he keeps up with news of world events . . . music, information, good programs, simply by setting his dial at 600. KROD broke up his radio-isolation . . . and you can get to him now with your story by using KROD—a bonus market, over and above the regular El Paso Market, reached only by KROD.

*KROD's secondary coverage alone reaches 13,953 radio homes, that otherwise are radio isolated.

KROD
EL PASO, TEXAS
CBS AFFILIATE
Covers ALL the El Paso Southwest
●
600 KILOCYCLES
1000 WATTS (Day)
500 WATTS (Night)
Dorrance D. Roderick, Owner
Merle H. Tucker, Manager
Howard H. Wilson Co.
National Representativcs

Merchandising & Promotion

Video Fight Sponsor—Macquarie Catalog—KLZ's Del Monte Survey—Yankee Party

TO PROMOTE the first sponsored fight telecast, of the Bettina-Burman heavyweight match on July 22, NBC sent window and mirror posters to the owners of more than 800 bars, restaurants and taverns equipped with video receivers in the New York metropolitan area, advertising the fact that the fight could be seen on their sets. Adam Hat Stores, sponsors of the telecast as well as of the blow-by-blow broadcast of the fight on the Blue Network and, in Spanish, shortwaved to Latin American listeners via NBC's shortwave stations WRCA and WNBI, added another innovation to the event by stationing Eli Canel, who handled the Spanish broadcast, not at the ringside but at a television receiver, describing the bout as he witnessed it.

* * *

Macquarie's Catalog

MACQUARIE BROADCASTING NETWORK, Sydney, Australia, has issued the second edition of its 100-page, 11 by 16 inch general catalog. Bound in fabrikoid and completely indexed, the book is sub-titled "a manual for radio agencies and sponsors", with foreword by H. G. Horner, general manager. Besides individual station and network statistical data, maps, diagrams and illustrations, the catalog contains general information on Australian radio of interest to agencies and sponsors. Compilation is by Norman Johnson, promotion manager.

* * *

For Power Boost

FOLLOWUP to a recent increase to 5 kw. by WHBF, Rock Island, Ill., is being made with the distribution to the trade of 1,000 reprints of a two-page newspaper spread with another mailing scheduled for one week later. Station promotion also features placement of car ads in 100 local buses.

* * *

Bags

ORDINARY paper bags are being distributed to the trade by WPEN, Philadelphia, to call attention to the station's new dramatized news program, *It Happened Today*. "It's in the Bag" states an imprint on the bag, with a promotional piece on the program on the inside.

* * *

Welcome Soldiers

ARMY CAMPS in the area covered by WOR, New York, are receiving posters inviting soldiers to see broadcasts at the WOR-Mutual Playhouse, New York. Drawn up by the station's promotion department, the posters bear cartoons by Otto Sogow.

KLZ Aids Del Monte

KLZ, Denver, as part of a recent merchandising program for Del Monte Pineapple Juice, called 225 grocers in Denver and advised them of Del Monte's announcement schedule on the station. The grocers were urged to order complete stocks to be able to fill all requests prompted by the air campaign. At the same time, the station found out exactly what size cans the grocer carried and learned if he was interested in ordering additional stock. Of the 225 called, 20% of those grocers not already carrying the product said they would order it as a result of the KLZ campaign.

* * *

Newspaper Deal

WDAS, Philadelphia, has closed a time-for-space deal with the *Evening Bulletin*, making it four out of five of the local newspapers. Cooperative deals are in effect with the *Daily News*, *Evening Ledger* and *Philadelphia Record*. Negotiations have been entered for a swap deal with the *Philadelphia Inquirer*. The *Bulletin*, most conservative of the local newspapers and the last to recognize radio, now has arrangements with WFIL, KYW and WPEN.

* * *

Yankee's Party

YANKEE-COLONIAL networks and J. D. Tarcher Inc., agency, acted as hosts to McKesson & Robbins Co. salesmen at a dinner at the Kenmore Hotel, Boston, July 25. Vice-President Arthur Benson and Assistant Vice-President Joseph Murphy headed the McKesson & Robbins group. Speakers included Carleton McVarish, director of research for the networks, and Jim Britt, Yankee sportscaster. A business meeting followed the dinner.

* * *

On the Air

HUNDREDS of cardboard microphone cutouts, carrying the WTOC call letters and a caption, "We're on the Air", have been placed in show windows of all local advertisers on the station by WTOC, Savannah, Ga. The station also operates a sign printing department which supplies special program signs to advertisers.

* * *

Radio Avenues

UNIQUE promotional stunt concocted by Hal Rorke, CBS Hollywood publicity director, is used to perpetuate names and titles of network programs. He recently convinced county officials to name streets of a new housing development near Long Beach after CBS radio personalities.

PLAQUE AWARD for futhering the interests of aviation through his broadcasts on WLAC was made recently to Tim Sanders, special events announcer of the station, on the fifth anniversary of Nashville's municipal airport. Conductor of *Air Traveler Airs His Views*, Sanders is credited with making the city air-conscious and being instrumental in making Nashville one of the outstanding air-terminals of the nation.

* * *

Wheaties Offer

FOLLOWUP to the recent Wheaties and banana sales, WSAI, Cincinnati, under the signature of Roger Baker and Dick Bray, station baseball announcers, is distributing a humorous mailing piece telling the sad fate of "Grocer Goochbaum" and his helper who were trampled by hordes of angry females when his stock ran out during a recent giveaway offer of General Mills.

BROCHURES

WNEW, New York—Booklet citing Martin Block's *Make Believe Ballroom* as preferred listening in New York, with accompanying surveys as proof.

WGY, Schenectady—Folder in book form, "Something New On the Air", promoting the weekly program *Speaking of Books*.

WNAX, Yankton, S. D.—Six-page folder and insert on WNAX coverage in Midwest farm community.

WKRC, Cincinnatii—Illustrated folder on WKRC Cincinnati Pure Food Show and fair coverage.

WHBF
AFFILIATE OF ROCK ISLAND, ILLINOIS ARGUS
Basic Mutual Network Outlet
FULL TIME 1270 K C
THE 5000 WATT
Voice of the Tri-Cities
ROCK ISLAND • DAVENPORT • MOLINE

Purely PROGRAMS

SINGING call letters at station breaks—that's the innovation at KJBS, San Francisco. A transcribed singing spot tells the audience it is listening to KJBS. About 20 different versions have been transcribed and are used throughout the day. Ralph R. Brunton, station owner, figured that if similar singing announcements sell refrigerators, furs and gasolines, they should sell the station to the listeners.

* * *

On To Hollywood

POSSESSION of an unusual personality which warrants film attention is basis of the newly inaugurated monthly contest on *Tayton's Tattler*, sponsored by Tayton Co. (cosmetics) on 7 CBS Pacific Coast stations. Women between 16 and 60 years old are invited to send in, accompanied by a label or card from one of the firm's products, a detailed personality description and their photographs. Winners, judged by Jimmie Fidler, Hollywood columnist and program commentator; Earl Carroll, impresario; and studio casting directors, are awarded a free trip to Hollywood.

* * *

Cincinnati Defenders

TELLING the story of a different local defense industry each week, WCKY, Cincinnati, on Aug. 1 started a new Friday evening quarter-hour series, *Industry on the March*. The series was arranged by Helen Rees, who is doing special promotion work under direction of L. B. Wilson, president and general manager. Heads of the various reviewed industries appear on each program.

* * *

Defense in Dixie

A NEW defense program, *Reveille In Dixie*, has started on WSB, Atlanta. Programs include band music, brief notes on defense work in the South and feature a presentation of actual Army life at Fort Benning.

* * *

For Folks Back Home

AS A service to those the draftees leave behind, Jack Sherman of WMBD, Peoria, Ill., broadcasts twice-weekly news about the local boys in various Army camps, such as promotions, activities and notices of leaves.

Forms for Requests

WDRC, Hartford, has begun a special promotion to assist its listeners in submitting requests. More than 20,000 postcards have been printed with the station's address and special blanks for requests. These are sent to all persons writing to WDRC. In addition, WDRC has prepared a complete list of all contests and offers on the station. This list is given wide publicity by Announcer Harvey Olson, whose "Sleepy Slim" character has made a hit on the early morning *Shoppers' Special* program.

Two That Failed

WITH a record of only two broadcasts marred by atmospheric conditions out of the 180 delivered in the last five years from New York to London, Raymond Gram Swing, MBS news anayst, was more unlucky during his recent three-week stay in London. Out of eight scheduled talks to the United States, two, the first and the last, were unintelligible because of atmospheric conditions. Swing's last talk from London was cut off after four minutes of frantic efforts by engineers to get the speech through clearly.

Hollywood Sustainer

NEW weekly half-hour, *The Best of the Week*, has been inaugurated on NBC-Blue stations, with Clinton (Buddy) Twiss as m.c. and commentator. Sustainer features the best Hollywood news story, oddity, song and draftee experience of the week. Gloria Blondell, radio and film actress, is to review the motion picture of the week in addition to being starred in the program's dramatic spot.

* * *

Skipper Jim Freebies

KLZ, Denver, is offering youngsters membership cards and pins on its *Skipper Jim* broadcasts. presentation of the cards and pins nets a free admission to Lakeside, a Denver amusement park.

EVER SEE
T.N.T.
WITH A
Crossley Rating?

After 10 weeks on the air, the Superman Radio Show broke all Crossley rating records for quarter-hour juvenile shows. Every one of 40 regional sponsors reports increased business!

TREMENDOUS 5-POINT BACKING!

- Superman magazine circulation over 2,200,000!
- Superman syndication in 385 papers—over 20,000,000!
- Superman in 24 monthly technicolor screen shorts by Paramount!
- Superman promotion in key city department stores!
- Superman's promotion staff building publicity!

THESE SHOWED UP IN THE MAIL

". . . Superman campaign going great guns . . . 53.04% sales gain in 4th week of campaign . . ."
—Normand Brothers, Manchester, N. H.

". . . Superman show so satisfactory . . . decided to replace newspaper campaign . . ."
—Rosefield Packing Co., San Francisco, Calif.

". . . wholeheartedly endorse Superman program and fully recommend its use."
—White Belt Dairy, Miami, Fla.

". . . it has built up the largest juvenile listening audience this station has ever known."
—Station KVOD, Denver, Colorado

THIS SHOWED UP IN THE HOOPER SURVEY

". . . radio program, Superman, doing a splendid job for our clients . . . Dairyland Products Co."
—Evans and LeMay Adv. Agency, Forth Worth, Tex.

In Cincinnati—One Week—6:00 P.M. to 6:15 P.M.
(after only 12 weeks on the air)

47.9% of all radio listeners heard SUPERMAN

7.4% was next highest individual program listenership

COMPARATIVE CINCINNATI LISTENERSHIP

Juvenile Program A . . 28.9%, B . . 18.7%, C . . 18.6%

SUPERMAN INC.

195 Recorded Episodes Available To Local and Regional Sponsors

Write! Wire! Phone! for detailed information

480 Lexington Avenue · New York City

PLaza 3-0740

We have THE VERY IDEA

Custom-built radio productions
One minute or one hour—
live or transcribed

The COVERT Co.
360 N. MICHIGAN AVE., CHICAGO

...IN THE SAME
OLD LOCATION

THE PEOPLE IN THIS BOOMING GULF COAST INDUSTRIAL AREA STILL FIND THE PROGRAMS THEY WANT IN THE OLD, FAMILIAR LOCATION . . .

560 KC
NBC BLUE
1000 WATTS
FULL TIME

KFDM
BEAUMONT

Represented by
HOWARD H. WILSON COMPANY

Sunshine Over Florida's Largest, Richest Market

WSUN
ST. PETERSBURG
5000 WATTS
620 KC · FULL TIME
NBC BLUE

You NEED coverage in this rich West and Central Florida market...why not get it?

WSUN's signal, clear, strong, free from interference, has been the established listening habit since 1927 on 620 kc.

Louis J. Link, Gen. Mgr.

Represented by
WEED AND COMPANY
NEW YORK · DETROIT · CHICAGO · SAN FRANCISCO

RADIO HELPS COLLECT ALUMINUM

Broadcasters Do Their Part in National Drive To Collect Pots and Pans for Defense

STANDING OUT again in a nation-wide public service drive, the radio industry cooperated wholeheartedly with the national defense campaign to collect scrap aluminum during National Aluminum Roundup Week, July 21-29. Stations in every area promoted the drive with special programs for several days before actual collection started, and followed through with studio interviews and remote pickups to stir additional interest in the campaign.

The aluminum collection drive, in addition to promotion by individual stations, was actively promoted by the NAB and was accorded attention on the networks through special programs and announcements on regular commercial features and drew the active support of the manufacturing and operating end of the industry. Radio Manufacturers Assn. urged full cooperation of member companies and their distributors and manufacturers like RCA Mfg. Co. announced production innovations designed to substitute other materials for aluminum.

Individual Station Activity

Some of the individual activities reported to BROADCASTING by stations follow:

KTAR, Phoenix, Ariz.—Lone Ranger Safety Club collected 500 pounds of aluminum in first few days of drive in corral in front of studio building.

KOCY, Oklahoma City—Station talent and Flatfoot Four, famous police quartet, furnished entertainment at local ball game, with aluminum as admission price and $25 defense bond given to person donating most aluminum.

WSUN, St. Petersburg, Fla.—Carried heavy schedule of special announcements and used mobile unit in house-to-house collection campaign.

WAAB, Boston—Broadcast opening of independent aluminum collection drive at the Sears, Roebuck plant in Boston.

KOY, Phoenix, Ariz.—Opened local collection campaign with broadcast of presentation of used aluminum-base transcription discs.

WTAD, Quincy, Ill.—Broadcast opening of local campaign, interviewing Mayor and tossing in used discs.

KOIL, Omaha—On opening day of local drive sent mobile unit along pickup route for special quarter-hour on-the-spot program.

WNOX, Knoxville—Accepted aluminum articles as admission to *Midday Merry-go-Round*, daily variety show, in lieu of regular dime admission, giving repeat performance to total audience of 1,235.

KOMO-KJR, Seattle—Special pre-drive promotion climaxing with one-hour kick-off program July 20, along with subsequent pickups from main local collection center, including a pot-by-pot description of donors tossing their offerings at an aluminum plaque of Hitler used as a target in the middle of the collection bin.

KFVS, Cape Girardeau, Mo.—Using mobile unit as well as studio, carried broadcasts from collection bins and interviews with community leaders.

KROD, El Paso, Tex.—Carried special broadcasts, sponsored by Hilton Hotel, interviewing local civic officials connected with drive.

WCKY, Cincinnati—Tied in aluminum drive with local programs, urging listeners to advise station of their willingness to donate and offering to dedicate musical numbers to donors on a special program. Sent the WCKY Studio Plane on residential tour with Boy Scouts to make door-to-door aluminum collections, picking up interviews with housewives meanwhile.

WFEA, Manchester, N. H.—Carried special programs, leading off with donations of used discs.

WWRL, Woodside, L. I.—Presented announcements in English and five foreign languages urging participation in drive and furnished bins for pots and pans in 44 different areas.

WHN, New York—Admittance to *Consumers Prize Quiz* obtained by presenting an aluminum pot or pan.

KSD, KWK, KXOK, WIL, WEW, WTMV, KFUO, KMOX, St. Louis—Contributed acts among the 30 which took part in the *Aluminum Radio Review*, pots and pans benefit held in Municipal Auditorium. Stations promoted show through spots, news, interviews, sustaining and commercial programs. Each person attending was required to present a piece of aluminum for admittance.

WFBR, Baltimore—Presented a series of special events urging participation in the aluminum drive. Bob Hurleigh, news editor of the station, was radio chairman of the Baltimore drive.

KLZ, Denver—Station was designated as a collecting depot. Jack Maszoras, station newsman, was a member of the committee handling the drive.

WWNY, Watertown, N. Y.—A special broadcast presented by the station was claimed the opening gun in the Northern New York drive.

WBZ-WBZA, Boston-Springfield — Carried special program from Navy bombing planes touring six New England capitals calling attention to request for aluminum.

WRAL, Raleigh—Presented series of programs for a week preceding drive, winding up with special broadcast called *Aluminum Maneuvers*.

KMO, Tacoma—Carried daily local broadcasts during drive and originated two state-wide programs to Pacific Broadcast Co.

KSTP, St. Paul—Originated show launching Northwest drive.

KNX, Hollywood—Established community reception center in Columbia Square. Spot announcements, news broadcasts and other programs used to promote drive.

CHICAGO REUNION brought together Jules Herbuveaux (right), program manager of the NBC Central Division, and Benny Goodman, the orchestra leader, to talk over old times when Herbuveaux a few years ago had his own orchestra and gave one of his first jobs to the then unknown clarinetist. They met at a party given by Ruthrauff & Ryan and NBC for the cast of the Holland Furnace Co. *Home-warming* on NBC-Red.

Cough Syrup on 7

WAIT-CAHILL Co., Decatur, Ill. (Green Mountain Cough Syrup), in the middle of October starts a series of three to six weekly quarter-hour programs on the following seven stations: KXOK, St. Louis; KMA, Shenandoah, Ia.; KWTO, Springfield, Mo.; WDZ, Tuscola, Ill.; WIBC, Indianapolis; WSOY, Decatur, Ill.; WPAD, Paducah, Ky. More stations will be added. Contracts are for five months and account was placed direct.

WELI, New Haven, Conn.—Conducted eight man-on-street broadcasts from bin in front of city hall, giving theatre tickets, Defense Savings Stamps and radios to interviewees.

WFMJ, Youngstown, O.—Commonwealth Oil Co. and Fleetwing dealers, sponsors of WFMJ's *Man on the Street*, turned over the program completely to the local collection committee during the drive, collecting 14 tons of aluminum in the bin erected by the station. The oil firm gave each donor a prize.

WBNX NEW YORK

THE MOST INTIMATE AND EFFECTIVE SALES APPROACH TO AMERICA'S LARGEST MARKET.

5000 WATTS Directional
OVER METROPOLITAN NEW YORK

New AP Levies Do Not Affect Radio

INCREASED assessments which the Associated Press has levied against its membership, in the AP's regular decennial revision of its apportionment of costs in accordance with the U. S. census figures, will not affect the rates paid by broadcasters for the use of AP news on the air. At the headquarters of Press Association Inc., AP subsidiary handling the sale of news for radio, it was stated that the PA contract for news broadcasts contains no war or emergency clauses for additional assessments, but covers the sale of news at a stated fee, which holds for the duration of the contract.

Notice of the increase to AP member publishers, sent out by Robert McLean, AP president, following the action of the board, explains that it has been the policy to "reapportion the expenses on the basis of literate population as shown by the decennial Federal census." Ten years ago, he points out, economies were instituted to meet the needs of the membership during depression years, resulting in an annual reduction of $1,200,000 in assessments.

Concluding that "restoration of part of the 1932 reductions can no longer be postponed if the interests of the service and of the members is to be served," the board instructed the management to include in this decennial revision "approximately one-half of the amount of the 1932 reduction of assessments," the letter stated.

Musicians Union Clamps Lid on Phila. Amateurs

BROADCAST of non-professional musicians again strained the relations between radio and the musicians union when WCAU, Philadelphia, on July 23 was advised by Philadelphia Musicians' Local 77 not to carry the music of the Philadelphia Police & Fireman's Band. In connection with a convention of police chiefs in the city, WCAU had arranged to broadcast from Independence Hall, at which event the police and firemen's band supplied the music.

A. Rex Riccardi, secretary of the local union, advised WCAU that the police and firemen's band has been on the union's unfair list for two years because it had been playing professional engagements, in effect taking jobs away from professional musicians. As a result, WCAU had to make a transcription of the event and cut out the background music for the broadcast.

Movie Producers Tie in Radio Talent To Projected Films; Pearce Is Signed

REPUBLIC PRODUCTIONS Inc., Hollywood, has signed the cast of the weekly half-hour CBS *Al Pearce & His Gang*, sponsored by R. J. Reynolds Tobacco Co. (Camel cigarettes), to star in a major comedy-musical tentatively titled "Marines on Parade". Picture, budgeted at more than a half-million dollars, will be the costliest yet made by that company.

M. J. Siegel, president and executive producer of Republic closed the deal in late July with Harry C. Arthur, executive of Fanchon & Marco, representatives of Pearce. Besides the comedian, others from his variety program to be featured in the film will be William Comstock in his Tizzie Lish characterization, Arlene (Chatterbox) Harris and Arty Auerbach, who portrays Kitzel. Miss Fanchon and Mike Marco are to be associate producers of the film. Associated with them will be Bob Cannom, Hollywood producer of Wm. Esty & Co., agency servicing the account.

To evolve network exploitation for a proposed motion picture, which he will produce independently for major release, Tay Garnett, Hollywood producer, has built a radio series from his story, "Three Sheets to the Wind". Divided into 13 quarter-hour programs, the series is being considered by CBS as a weekly sustaining feature. First episode was auditioned July 27 before a studio audience, with Brian Donlevy, star of the proposed motion picture, cast in a similar role in the radio version. Others in the audition cast included Mary Anderson, Knox Manning, Helga Moray, Frank Worlock, Fred Shields, Joe Kerns, Charles Lung and Howard MacNear. Jon Slott wrote the radio version from Ken Englund's screenplay of Garnett's story. Edward Ward is musical director.

Raymond Gram Swing, MBS commentator, is featured in "Broken Treaties", first of a series of historical shorts produced by Cartoon Films Ltd., and now being released through Columbia Pictures Corp. Dale Evans, vocalist of WBBM, Chicago, has been screen-tested by Paramount Pictures Corp. for a role in a major picture.

MEREDITH WILLSON, Hollywood musical director of the weekly NBC *Maxwell House Coffee Time*, sponsored by General Foods Corp., has just completed scoring music for the Samuel Goldwyn film version of "The Little Foxes".

Big city or small town—people feel most at ease in familiar surroundings. That's why WGN's studio building on Michigan Avenue is so important to an advertiser. Because WGN as a radio station is recognized by Chicagoans as a familiar Chicago landmark.

This is another reason why WGN is the first station in Chicago and the first Chicago station in the Middle West.

WGN

A CLEAR CHANNEL STATION

50,000 Watts • 720 Kilocycles

MUTUAL BROADCASTING SYSTEM

WGN

Eastern Sales Office
220 E. 42nd St., New York, N. Y.

Paul H. Raymer Co.
Los Angeles, Cal., San Francisco, Cal.

WSGN
Soon Will Go
610
Early in September
Birmingham, Ala.

Canadian Govt. Buying Spots to Urge Gas Cuts

CANADIAN Government, through the Office of the Oil Controller, started on July 28 for 24 days a twice-daily transcribed spot announcement campaign for gasoline conservation on 80 Canadian stations. Canadians are being asked to cut their gasoline consumption by 50% and to cut pleasure driving to a minimum, and they are reminded that gasoline stations are now closed from 7 p.m. to 7 a.m. daily and all day Sunday. The account, at regular card rates, was placed by the wartime committee of the Advertising Agencies of Canada.

Spot and Other Business Holding Up In Canada Despite Wartime Limits

REPRESENTATIVES of Canadian stations in Toronto report little change in the amount of spot business which has been placed on Canadian stations through representatives in the United States, despite reports that there has been a 50% drop in Canadian spot business originating in the United States. Canadian stations are booked more solidly at present than at any time in their history, despite some restrictions in consumer purchases due to war industry output. Similarly Canadian stations are receiving more commercial network programs than ever before, with the number originating in the United States unchanged, and an increase being shown by the number of commercial network programs originating in Canada.

There has been only a slight falling off in spots placed in the United States on Canadian stations, estimated by various representatives as 10% at most. This is more than made up for by local spot announcements, and a growing number of paid Government spot announcements for various purposes, the latest of which is to emphasize the curtailment of pleasure driving and the saving of gasoline, a spot announcement campaign having been started on every Canadian station on July 28.

U. S. Spot Down Slightly

Reports that Canadian Broadcasting Corp. networks are taking much of the spot business because of cut rates are not borne out by the facts, which show that some sponsors who changed from all spots to network have since added more spots.

U. S. representatives of Canadian stations report that the placement of business by them has decreased somewhat, but that this does not mean Canadian spot as a whole has decreased. On the contrary, one of them stated, it has increased. Some U. S. agencies have expanded their Canadian offices so that their radio is now being placed by Canadian branches. A recent example is D'Arcy Advertising, which formerly placed business for Coca Cola through its New York office and is now buying time through its Toronto branch.

Some American companies manufacturing heavy goods have curtailed their spot both in this country and Canada, an example being International Harvester Co.

QUEENS OF DOLLDOM are held by Announcers Earl McCarron (left) and Clair Chambers of CKCW, Moncton, N. B. The dolls, France and Marianne, were presented to Princess Elizabeth and Princess Margaret Rose, daughters of King George VI and Queen Elizabeth, by the children of France when the two nations were allies. The dolls were on show at the Royal Doll Exhibition at Moncton.

Limited Aluminum Supply Allotted

OPM Allocates 110,000 Pounds For Parts and New Sets

MOVING to maintain radio service, deemed essential to the defense effort, and to keep the radio manufacturing system in operation until new defense orders begin taking up production slack, E. R. Stettinius Jr., OPM director of priorities, announced last Tuesday a program which will make available a limited quantity of aluminum for the manufacture and maintenance of radio sets for civilian use. For July OPM has allocated a total of 110,000 pounds of aluminum for radio purposes, including 70,000 pounds of aluminum scrap.

Although the new program will provide enough of the metal to supply maintenance and repair parts for existing radios, a sharp reduction in set manufactures is certain, according to OPM, which indicates that aluminum allocations in coming months will be made on a decreasing scale. Manufacturers already have instituted broad use of aluminum substitutes in radio construction, but OPM indicated that increasing use of substitutes must develop.

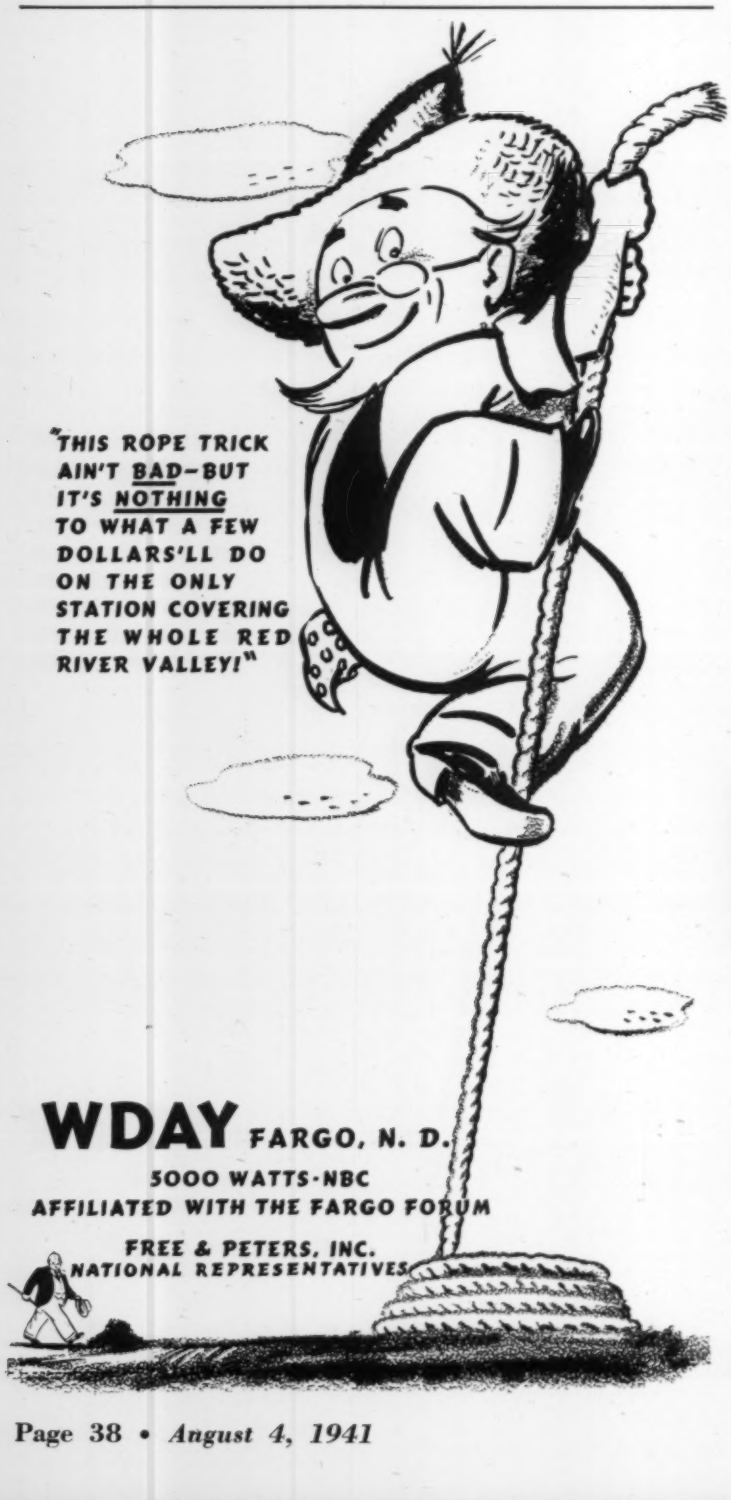
According to OPM figures, the radio manufacturing industry in 1940 used 4,000,000 pounds of virgin aluminum. The July allocation of virgin aluminum, 40,000 pounds, amounts to only 1% of the amount used last year.

Repair Parts Needed

In making the announcement, Mr. Stettinius explained that the industry is required to give priority to production of maintenance and repair parts, assuring an adequate supply of repair parts for existing sets. Manufacturers, parts jobbers and service men will secure supplies of the metal through regular trade channels, which operate under OPM priorities, it was explained.

The OPM allocation came after negotiations for several months between the OPM Priorities Division and the Priorities Committee of Radio Manufacturers Assn., headed by Paul V. Galvin. Agreeing with the OPM statement that the extent of the reduced production of new radio sets cannot be estimated at the moment, RMA officials indicated that the tentative aluminum program for radio, reduced gradually, is expected to carry along the industry during the coming season until radio defense contracts are available more extensively.

WHKY, Hickory, N. C., has applied to the FCC for a change from 250 watts on 1400 kc. to 1,000 watts night and 5,000 day on 1290 kc.


"THIS ROPE TRICK AIN'T BAD—BUT IT'S NOTHING TO WHAT A FEW DOLLARS'LL DO ON THE ONLY STATION COVERING THE WHOLE RED RIVER VALLEY!"
WDAY FARGO, N. D.
5000 WATTS·NBC
AFFILIATED WITH THE FARGO FORUM
FREE & PETERS, INC.
NATIONAL REPRESENTATIVES

1340 WINX Washington's Own Station
WIN WASHINGTON WITH WINX
WINX BUILDING • WASHINGTON, D. C.

House Acceptance Of New Radio Tax Now Looks Certain

(Continued from page 10)

fied both the House and Senate committees that it opposed the levy, regardless of support by small affiliated unions.

The proposed bill provides a 5% levy on annual net time sales above $100,000 and up to $500,000; 10% on $500,000 to $1,000,000; 15% over $1,000,000. In addition, excise rates on radio receiver and parts sales were boosted from 5½% to 10%, and a new tax on telephone, cable and radio leased wires was included.

In addition to an amendment of the billboard tax, spreading out the levy on a graduated billboard-size basis, and another providing a floor stock tax on matches, the Ways & Means Committee has approved a 5% levy on telephone bills, exclusive of other taxes on leased wires and similar facilities.

According to the language of the bill, the net time sales tax would be levied on sales for the calendar year 1942, starting Jan. 1, 1942. Tax returns would be filed by March 1, 1943, on 1942 business, and chronologically thereafter.

Estimates on the size of the expected tax yield from the 5-15% levy have varied. Treasury Department estimates indicate a gross take of about $12,500,000, against a loss of approximately $7,700,000 in excess profits and corporate surtaxes otherwise collectable, leaving a net increase of about $4,800,000. Independent industry estimates have been considerably higher, establishing an additional $5,000,000 in Federal taxes as a probable minimum, and a maximum which might reach as high as $10,000,000.

NAB Committee Meets

A special NAB committee on taxation, called together by President Miller, met in Washington July 26 to map out a campaign to fight the pending proposal. The special committee included Nelson Kidd, representing Col. Harry C. Wilder, WSYR, Syracuse, of the NAB accounting committee; Harry C. Butcher, CBS Washington vice-president; Frank M. Russell, NBC Washington vice-president; Mark Woods, NBC vice-president and treasurer; Frank K. White, CBS treasurer; Paul A. Porter, CBS Washington attorney; Paul F. Peter, NAB director of research.

Compiled by Mr. Peter in connection with the committee's conversations, and using FCC figures on net time sales [BROADCASTING, July 28], a table released by NAB [see page 10] indicated that the graduated levies would yield a total Federal income tax, exclusive of excess profits and corporation surtaxes, of $11,518,151 on 1940 net time sales of $112,556,714, covering 238 individual stations in the $100,000-plus bracket, the national networks and five regional networks.

On the basis of the 1940 figures, according to the NAB table, the 238 effected stations constitute 31% of the total of 765 stations reporting, and account for $78,508,938, or 79%, of the retained time sales of $99,916,993 reported for the 765 stations. The 238 stations' aggregate tax figure, $6,488,168 on the basis of 1940 figures, represents 28% of their net income of $23,533,440.

Losers Are Taxed

For the eight stations in the 15% tax bracket, the tax of $1,845,220 equals 40% of their $4,587,798 net income; for 42 stations in the 10% bracket, the $2,665,148 tax amounts to 29% of the $9,336,703 net income; for 188 in the 5% bracket the $1,977,800 tax amounts to 21% of the $9,608,939 net income. Included in the 188-station group were 13 which reported operating deficits aggregating $522,444, but which nonetheless would be taxed, it was explained.

Lumping retained time sales of NBC, CBS and MBS, taxable net time sales would amount to $33,275,943, and a 15% tax would reach $4,991,391, representing 60% of the net income of $8,342,450 reported by the three networks. Lumping the net take of five regional networks likewise, a 5% tax on the combined time sales of $771,883 would amount to $38,592, or 23% of the $169,610 net income.

A recapitulation on a full-industry basis indicated that retained time sales of $112,556,714, or 84% of the total of $133,964,769, would be subject to the tax if it were levied against 1940 income. The total tax of $11,518,151 would represent 35% of the net income of $33,296,708 before Federal income taxes, it was shown.

Projecting an expected 15% increase in time sales for 1941, it was estimated by Mr. Peter the tax would aggregate about $13,250,000 and, projecting an additional 5% increase for 1942, would raise the tax yield to about $13,800,000, according to the proposed rates.

Lafount Hits Levy

Calling upon member stations for cooperation in a "strenuous effort" to eliminate the "discriminatory" tax, NIB President Lafount emphasized that although the proposed levy hit only plus-$100,000 stations, it represented "a precendent most dangerous to even those broadcasters in the lowest income bracket".

"The next step, as in all other taxing legislation, would be the lowering of the exemption until it is finally wiped out," Mr. Lafount warned members.

In a July 29 letter to Senator George (D-Ga.), new chairman of the Senate Finance Committee, in which he requested the opportunity for an NIB appearance at the coming Senate hearings, Mr. Lafount declared:

"There is no intention of broadcasters to seek to evade their just and proportionate share of tax increases necessitated by the present emergency. On the contrary, broadcasters have given and are continuing to give every assistance to the Federal Government and its various branches in defense matters for which no charge has been made or asked. The requests for additional time by the various Federal defense agencies are multiplying rapidly, all of which not only deprives stations of time which might be sold for advertising purposes but adds to the operating cost. This is a service which radio is rendering gladly, though I am informed the other advertising media receive their regular rates for Government announcements appearing in the form of advertisements.

"We respectfully call to your attention the fact that the American system of broadcasting is made possible solely by the revenue which a station is able to derive from its advertising. When broadcasters are subjected to taxation which is not imposed upon other advertising media, they are placed in a position which may result in driving many radio advertisers to newspapers, magazines and other forms of advertising. This loss in revenue cannot but seriously affect the service which is rendered to the public and may result in destroying many of the stations which are collaborating with the Government in this time of need.

"The last available tabulations complied by the FCC show that over 250 of the broadcast stations in the United States operated at a loss. In this connection, we would like to point out that the tax contemplated by the Ways & Means Committee's new revenue bill is not based on profits, but is based on gross income—it is in addition to all other taxes.

"It is obvious that broadcasting stations have a most important function to perform during the present crisis. Like all American industries owned by Americans, broadcasters are willing to make whatever sacrifices may be necessary. But we do ask equality of treatment. We are sure that upon reflection you will agree the broadcasting industry is entitled to no less. The total amount which might be collected as a result of the discriminatory tax on the gross sales of radio time is so small that it can have little, if any, effect on the Government's fiscal program. We understand the Treasury estimates show that less than $5,000,000 will be collected from this source. Yet the harm that will be done to the broadcasting industry by placing a penalty on radio advertising cannot be estimated."

Text of Radio Tax Provision in Revenue Act

Text of the radio tax provision of the Revenue Act, as reported by the Ways & Means Committee, reads:

Sec. 601. TAX ON RADIO BROADCASTING STATIONS AND NETWORKS. Subtitle B of the Internal Revenue Code is amended by inserting after chapter 6 the following new chapter:

Chapter 6A

Sec. 1220. TAX ON RADIO BROADCASTING STATIONS AND NETWORKS.

(a) Rate—For each calendar year beginning after Dec. 31, 1941, there shall be imposed upon every person with respect to operating a radio broadcasting station or engaging in network broadcasting for any part of such year, an excise tax computed as follows:

(1) If the net time sales exceed $100,000 and do not exceed $500,000, an amount equal to 5% of the net time sales, or an amount equal to the net time sales in excess of $100,000, whichever is the lesser.

(2) If the net time sales exceed $500,000 and do not exceed $1,000,000, an amount equal to 10% of the net time sales, or an amount equal to $25,000 plus the amount of the net time sales in excess of $500,000, whichever is the lesser.

(3) If the net time sales exceed $1,000,000,000, an amount equal to 15% of the net time sales, or an amount equal to $100,000 plus the amount of the net time sales in excess of $1,000,000, whichever is the lesser.

(b) Definitions—For the purpose of this section—

(1) "Network broadcasting" means the making of arrangements with persons operating radio broadcasting stations for the simultaneous broadcast of an identical program by two or more connected stations and the distribution of programs by wire or radio to such persons.

(2) "Time sales" means the gross amount received or accrued from the sale of broadcast time. Where the sale is for a consideration other than money, the gross amount considered to be received or accrued shall be the published card rate for broadcast time. Where the sale is for a consideration, less a commission to an advertising agency (whether such sale is made to such agency or its principal) the amount of such commission (not in excess of 15% of such consideration) shall be excluded in determining the gross amount received or accrued with respect to such sale.

(3) "Net time sales" means time sales minus the amounts paid or incurred for broadcast time to other persons operating radio stations or engaged in network broadcasting.

Sec. 1221. RETURNS.

(a) Requirement—Every person liable for tax under Section 1220 shall make a return under oath. Such return shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe.

(b) Time for Filing—

(1) General Rule—Such return shall be made within two months after the close of the year with respect to which such tax is imposed.

(2) Extension of Time—The Commissioner may extend the time for making the returns, under such rules and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than 60 days.

(c) Place for Filing—The return shall be made to the collector for the district in which is located the principal place of business of the taxpayer, or, if it has no principal place of business in the United States, then to the collector at Baltimore, Md.

Sec. 1222. OTHER LAWS APPLICABLE.

All provisions of law (including penalties) applicable in respect of the taxes imposed by Chapter 6 shall, insofar as not inconsistent with this chapter, be applicable in respect of the tax imposed by this chapter.

NBC Reaches Agreement With ASCAP

Network Rate Is 2¾%, Stations Pay 2¼% Under Deal

(Continued from page 7)

treasurer, appearing before them for more than an hour to explain NBC's position. When the board adjourned Thursday evening without taking final action, Niles Trammell, NBC president, sent a wire to all NBC affiliates, advising them of the situation up to that time.

Reach Agreement Early

A virtual agreement on all major issues was reached last Tuesday morning and announcement of a completed deal had been expected momentarily for the rest of the week. Only one snag remained to be overcome, but on that snag negotiations stuck and refused to move either way. The one remaining controversial issue concerned the method of clearing network programs to be broadcast over stations in States with "anti-ASCAP" laws prohibiting any combination of copyright owners from collecting music license and royalty fees within their borders. Florida and Nebraska already have such statutes on their books and similar laws are under consideration in several other States.

There is no economic consideration to this issue, it was stated. NBC, for example, collects $100 from an advertiser for the inclusion of a Florida station in the network program sponsored by that advertiser, and pays the station $33. NBC then has agreed to pay to ASCAP 2¾% of the $67 it retains for the privilege of using ASCAP music. But, in exchange for this clearance-at-the-source payment, NBC is insisting that ASCAP guarantee that its members will not use the ASCAP music broadcast on this Florida station as part of that NBC network program to sue the station and especially, the advertiser for copyright violation through unauthorized use of the music.

The State Situation

ASCAP has declined to give such guarantee, arguing that to do so would be to enable stations in the States with anti-ASCAP laws to get their ASCAP music from the networks without payment of ASCAP fees or fear of legal action. Such a condition, ASCAP argues, would be to encourage broadcasters in other States to work for the passage of similar laws with the eventual result that ASCAP would find itself legislated out of business. NBC believes this to be an unwarranted stand, as it is requesting the no-suit guarantee only on network programs and not on programs originating at the individual stations, for which the stations would still be liable to the ASCAP writers and publishers if any of ASCAP music were used.

TRAMMELL AWAITS AFFILIATES

IN A STATEMENT issued Friday, Niles Trammell, NBC President, expressed hope that the contract would soon be ready for signature, but added that NBC will not sign it until the network's affiliates have agreed to refund to NBC 2¾% of the stations' compensation on network business, except in those States where such refunds are forbidden by law.

"Wires have been sent to all NBC stations and we hope to have telegraphic approvals from them so as to enable us shortly to sign the contracts which are now being prepared," Mr. Trammell said. "When these contracts are signed, arrangements will be made to return ASCAP music to our networks for both commercial and sustaining programs".

In his wire Mr. Trammell emphasized that the terms applied to the network licenses on the Red and Blue networks and the M&O stations of NBC and that the NBC affiliates were entirely free to make their own contracts with ASCAP for local broadcasting. It is understood that ASCAP is making the same per-program and blanket proposals for settlement to all individual stations that it made to NBC, covering local programs on the network's managed and operated stations.

Comment by McCosker

Commenting on the terms of the ASCAP-NBC agreement, Alfred J. McCosker, MBS board chairman said "the expected effectiveness of NBC's tremendous dollar volume in negotiating a deal has been demonstrated. Mutual, of course, will take advantage of its most-favored-nation clause to secure the same terms."

RADIO SLEUTH

KQW's Buzzini Tracks Down Missouri 4-H Member

WHEN Bert Buzzini, farm reporter of KQW, San Jose, Cal., broadcast a UP news dispatch about the 4-H activity of a certain 18-year old Missouri farm girl, he brought a man-sized sleuthing job down on his own shoulders. For a California farmer sent a letter to Buzzini to be forwarded to the Midwest farmerette 2,000 miles away.

Temporarily stumped because the UP dispatch only identified her as Mary Jean Lentz, somewhere in Jackson County, Mo., the undaunted Buzzini contacted Phil Evans, director of farm service of KMBC, Kansas City, and explained his predicament. Evans in turn enlisted the aid of the county agent and within a few days succeeded in delivering the letter to the young lady.

Russell Colgate

RUSSELL COLGATE, 68, a director and former chairman of the board of Colgate-Palmolive-Peet Co., Jersey City, on July 31 died of a heart attack while playing tennis at his home in Llewellyn Park, N. J. A grandson of William Colgate, who founded the soap company in 1806, Mr. Colgate joined the firm soon after his graduation from Yale U in 1896, becoming chairman of the board in 1933. Surviving are his wife and daughter.

W. FRANKLIN MOORE, with BBDO, New York, for the last 25 years, has been elected a vice-president of that agency. During the last 19 years, Mr. Moore has been associated with the Armstrong Cork Co. account.

LISTENERS in the Duluth-Superior area are now hearing Fulton Lewis jr., MBS commentator, thrice weekly on WDSM, Superior, under sponsorship of the E. J. Brach Candy Co.

CBS Video Tests

CBS, which has just received permission from the FCC to continue the experimental television broadcasts of WCBW, New York, for another 30 days, following the expiration of the first such permit July 30, has announced that to assist service men who are converting television receivers previously purchased from the old to the new standards. WCBW has added a daily hour to its broadcast of test patterns, from 3:30 to 4:30 p.m. Other test patterns continue for the half-hour preceding each television program, afternoon and evening. Network is also transmitting experimentally in color for an hour a day.

Choc-So Test

ROCKWOOD & Co., Brooklyn, for the past several weeks has been conducting a test campaign for Choc-So, a new fortified chocolate mixer on WSYR, Syracuse; WTAR, Norfolk, and WFBR, Syracuse. Federal Adv. Agency, New York, handles the account.

Chicago School Extends

AMERICAN SCHOOL, Chicago (correspondence courses), due to the success of a spot campaign for its home study high-school course on WOV, New York, has added WAAF, Chicago; WCAR, Pontiac; WERC, Erie; WPIC, Sharon, Pa. Announcements are five-minute transcriptions six times weekly. Agency is Huber Hoge & Sons, New York.

Camel Latin Shift

XAVIER CUGAT's Orchestra on the NBC-Red *Camel Hour* for R. J. Reynolds Tobacco Co., Winston-Salem, is now heard in Latin America simultaneously with the domestic broadcast Thursdays at 10-10:30 p.m., instead of via recording later that evening as heretofore. Program is broadcast on NBC's international stations WRCA and WNBI, with Announcer Ken Smith giving comments in Spanish for Latin American audiences while program with English comments goes over NBC-Red. Agency is Wm. Esty & Co., New York.

ONE OF THE PARTY attending the dedication of NBC's new short-wave listening post at Bellmore, L. I., was Mathilde Baier (right), secretary to Max Jordan, NBC European news manager. When she entered the monitoring room it was only natural that she looked to see who was listening in on Berlin. Imagine her surprise to see that it was Frederick Sartorius (left) her former next door neighbor in Arlesheim, Switzerland, a suburb of Basle. She did not know that he was even in the United States. Miss Baier, who arrived in this country only two weeks ago from Basle, in her own right has helped make international radio history. It was she who kept three telephone lines open for four days at Munich for Mr. Jordan, which allowed him to scoop the world by an hour on the signing of the Munich Pact. In center is Jules Van Item, in charge of the listening post.

EDUCATION OFFICE MAKES RADIO PLANS

PREPARING to re-expand operations of its radio division, following appropriation of $16,400 by Congress for these activities during fiscal year 1942, the Office of Education plans to add specialists in radio research and radio information to its staff, it was indicated to BROADCASTING last Tuesday. The funds, first ever appropriated by Congress for the radio division, also will be used to expand clerical functions in the radio division. They were included in the Federal Security Agency appropriation.

Appropriation of the funds, which include $1,000 for materials and supplies and $15,400 for wages and salaries, came just a year after Congress had flatly refused to make available any money to continue the work of the Office of Education's radio division, which since its start in 1935 had subsisted on relief funds. Last year Congress set a limit of $100,000 on the amount of relief money that could be spent for Government radio activities, after charges were made that the radio activities amounted to New Deal propaganda. Since the Works Progress Administration alone used this sum for its broadcast activities, none was left for the Office of Education, whose radio division and particularly its Radio Script and Transcription Exchange, managed to keep operating only through financial assistance from the Federal Radio Education Committee.

BRITISH BROADCASTING Corp. variety program titled *Music Hall*, formerly heard on MBS, will be resumed Aug. 12 on that network, to be heard Tuesday, 2:15-3 p.m.

Studio Notes

RESURRECTION of an inactive statute by the Chicago Park department almost prevented NBC from presenting any programs with studio audience from Chicago. During the remodeling of large Studio A in Merchandise Mart, NBC leased the Goodman Theater in Grant Park from the Chicago Art Institute, but when it was discovered that the theatre, being on public grounds, could not be leased to a "company operating for profit", NBC was ordered to vacate. Whereupon NBC secured an injunction July 24 in the Illinois Circuit Court enjoining the Art Institute and the Park Department from breaching the contract until late August when Studio A can again be used for studio-audience programs.

V FOR VICTORY in Morse has been adopted by the Philip Klein Agency, Philadelphia, for the Morris Plan Bank nightly news periods on WFIL, Philadelphia. At the opening and closing of each broadcast, the oscillator taps out three dots and a dash, the announcer indicating what it stands for, followed by additional oscillator sounds explained by the announcer as standing for the sponsoring Morris Plan Bank.

WIP, Philadelphia, will cover the activities of troops from Indiantown Gap, Pa., during maneuvers starting Aug. 23 and continuing for three weeks. A sound truck will follow each movement of the troops, recording the highlights of the particular day. The transcription will be rushed back by air mail or special delivery for immediate broadcast by the station.

KMA, Shenandoah, Ia., is claiming some sort of speed record for its recent coverage of a fire which broke out in a warehouse only 200 yards from the KMA studios. Five minutes after the blaze broke out the station had a microphone manned by Program Director Mott Johnson and Announcer Jack Kelly on the spot and a description on the air.

WJPR, Greenville, Miss., has started a new transcription series, *Hable Espanol* (Do you speak Spanish?) a 15-minute lesson in Spanish. The transcription is programmed by WMC, Memphis and is played on WJPR the following day. The "students" work from written lessons printed in the Memphis Commercial Appeal.

WOR, New York, from Jan. 1 to July 4, 1941, carried 160 programs devoted to defense, according to a tabulation made by the WOR special features and news division. The programs ranged from five-minute talks to half-hour variety shows and documentary cross-country broadcasts from plane factories, tank plants and arsenals. Of this total, 48 dealt with the Army, nine with the Navy, three publicized defense savings bonds, 11 for servicemen's organizations, and 57 were talks and forums on various defense problems.

KROD, El Paso, on July 29 carried a half-hour account of a "command flight" by the 120th Observation Squadron of the United States Air Force. Ted Gates, studio director, and Morrison Qualtrough, announcer, one on the ground and the other in a plane, described a simulated dive bombing attack. The broadcast was made through cooperation of officers at Fort Bliss and Biggs Field.

WTOC, Savannah, Ga., is carrying a new 5:45-6:45 a.m. series, *Reveille*, designed particularly for boys in the military services. Recorded popular music requested by service men in the area is presented on the program. WTOC staff members recently visited four camps in the area to find out first-hand the type of music the trainees liked best.

AGMA Taking Injunction Plea Against AFM to N. Y. Supreme Court in October

AMERICAN Guild of Musical Artists will take its suit to restrain James C. Petrillo, president of the American Federation of Musicians, from seizing jurisdictional control over AGMA's instrumentalist members into the New York Supreme Court at its opening session in October, following authorization received last week from the New York Court of Appeals. In a 5-2 decision that court granted AGMA's plea for the right to try its suit for an injunction and damages in the Supreme Court, reversing a prior ruling of the Appellate Division.

The fight between AGMA and AFM began Aug. 5, 1940, when Mr. Petrillo wrote a letter to Lawrence Tibbett, AGMA president, demanding that "all instrumentalists belonging to your organization . . . resign and become mmbers of AFM where they rightfully belong". The letter set Labor Day as the deadline, after which Petrillo said he would order AFM members not to perform with members of AGMA, which would be tantamount to banning the AGMA instrumentalists, chiefly virtuosos appearing as soloists with orchestras, from working on the concert stage, on the air or in the movies.

AGMA Goes to Court

Securing a stay order to maintain the status quo pending trial, AGMA went to the New York Supreme Court with a motion for a temporary injunction against Mr. Petrillo pending trial for a permanent injunction. The motion for a temporary injunction was dismissed, and at the same time the court denied Mr. Petrillo's cross-motion to dismiss the suit. AGMA then appealed to the Appellate Division of the Court, which not only upheld the denial for a temporary injunction, but dismissed the entire action.

Meanwhile, by agreement of counsel, the status quo had been maintained, but after the Appellate Division's decision [BROADCASTING, Feb. 3], Mr. Petrillo presented another ultimatum to AGMA with a March 1 deadline, notifying broadcasters, concert bureaus and recording companies that after that date AFM members would not be allowed to perform with instrumental musicians who were not members of AFM. A number of AGMA members, headed by Albert Spaulding, resigned and joined AFM at this time. But AGMA announced that the "overwhelming majority of solo instrumentalists have remained loyal to AGMA".

Justice Department Plans

On Feb. 28 the Justice Department announced plans for a grand jury investigation of the AFM and other organizations dealing with musical artists, the announcement emphasizing the position of Mr. Petrillo, whose power was termed "absolute and subject to no control". The Department, it was learned in Washington, is withholding action on the Petrillo proceedings pending determination of its course in connection with monopoly charges made by the FCC against the networks.

In recent months there has been little action on the AFM-AGMA front and none is expected until after the New York Supreme Court trial this fall. Full text of the Court of Appeals decision was not available as BROADCASTING went to press, but Henry Jaffe, AGMA attorney, said that in essence it means that AGMA's pleadings showed a good cause for an injunction and damages and that the Court of Appeals therefore gave AGMA the right to establish its case in trial.

AFM Counsel Henry A. Fruedman explained that the Appellate Division has said, in effect, that AGMA's complaint, if true, was not sufficient to warrant a trial, but that the Court of Appeals, which does not pass on merits, had found the complaint to contain enough material to justify a trial.

Mrs. Blanche Witherspoon, executive secretary of AGMA, stated that "the board of AGMA was delighted that the court had vindicated our claims", but declined to comment further until the text of the decision had been received and studied. Mr. Petrillo could not be reached for comment, the AFM headquarters reporting him to be out of town.

WCCO, Minneapolis, will set up a miniature studio in its regular booth at the Minnesota State Fair, Aug. 28 to Sept. 1. Here, with defense as the main theme, the regular Sunday dramatic program, *Minnesota to the Defense*, will be presented thrice daily for the benefit of the public, in addition to other WCCO programs. The station expects these unaired presentations to increase the attendance at the WCCO booth above the 400,000 record mark of 1940.

WTAG, Worcester, by way of variety in musical entertainment, currently is presenting weekly *Kaleidoscope Moods in Music* with Onell Smith, talented with the piano, organ and novachord, presenting the selections on the various instruments according to the type of song.

WROK, Rockford, Ill., has expanded its newscast schedule and now carries a news broadcast every hour on the half-hour. News Editor Bill Traum has set aside one quarter-hour program daily in which war news is entirely omitted.

THE new song of Dick Aurandt, musical director of KSFO, San Francisco, "There Shall Be No Blackout for Democracy", campaign theme song for the Pacific Coast Division of USO has been adopted by the Coast Artillery Replacement Training Center, Camp Callan, San Diego, as its theme for radio broadcasts.

BONUS checks amounting to a half-week's pay were distributed during July by WHBF, Rock Island, Ill., to more than 40 of the station's personnel.

Daylight Saving Hearings Start

House Committee to Consider Several Pending Proposals

PRESAGING Congressional approval of legislation authorizing the President to prescribe daylight saving time areas in the country, as requested by President Roosevelt [BROADCASTING, July 21], the House Interstate & Foreign Commerce Committee last Friday announced that public hearings on pending DST proposals would start Tuesday, Aug. 5. The opening session, at 10 a.m., will convene in the committee room in the New House Office Bldg.

Although primary attention probably will center on the bill introduced by Rep. Lea (D-Cal.), chairman of the committee, it is understood all of the five or six pending DST bills will be considered by the committee. The Lea bill, bearing White House endorsement, would authorize the President to order daylight saving time either on a national or regional basis, as he sees fit. Other proposals variously propose six-month and seven-month DST seasons, in the manner of the DST law in effect during World War I.

The approaching legislative move is considered of far-reaching importance to the broadcasting industry because of its relationship to both network and spot programming. Due to hit-or-miss observance of DST over the country, program schedules perennially have gone through twice-yearly scrambles. NAB and other surveys have indicated that virtually all broadcasters favor a universal time basis, either DST or standard time, as observed by railroad systems, with a majority favoring DST outright.

Another Video Sponsor

FRANK H. LEE Co., Danbury, Conn. (men's hats), becomes the fifth television sponsor Aug. 7 when it starts a half-hour series on WNBT, NBC's television station in New York. Series, titled *Sports Interviews* and *The Lee Hat Parade*, will feature Stanley Woodward, sports editor of the *New York Herald-Tribune*, discussing sports and interviewing sports stars. Highlights of the sports events of the preceding week, edited from Pathe Newsreels, will be shown and the commercial part of the program will also consist of movie shots made at the Lee factory showing how men's hats are made. Series, telecast Thursdays, 9-9:30 p.m., is placed through Bermingham, Castleman & Pierce, New York.

Mennen Plans Show

MENNEN Co., Newark, through its newly appointed agency, Russel M. Seeds Co., New York, is planning a fall network show to promote its shaving preparations. It is rumored the show may be titled *What Price Glory*, but no details on network, time or type of program have yet been released.

ARTISTS BUREAU BIDS CONSIDERED

SALE of the NBC Artists Bureau, expected to be consummated early last week, is still hanging fire. Mark Woods, NBC vice-president and treasurer, in charge of negotiations for the sale of this division of NBC, explained Friday that he had been so tied up with ASCAP negotiations during the week that he had been unable to consider the talent bureau sale for the time being.

Music Corp. of America and William Morris Agency have both submitted bids to NBC and discussions between the network and both of these talent management companies have been under way for the last month. The deal proposed by MCA, which is also acquiring the CBS talent services, is generally believed to be more acceptable to NBC, but the Morris offer has not been finally rejected.

A CBS stockholders' meeting has been called for Aug. 11 to ratify the transfer to MCA of the networks' two subsidiaries, Columbia Artists Inc. and Columbia Concerts Corp. Sale is expected to be approved without opposition, CBS counsel reporting that a good many proxies have been received already with no protests against the sale.

New SESAC Guide

NEW list of 1,500 phonograph records of SESAC music was mailed last week to program directors of stations throughout the country, while the new SESAC Music Guide will be released within the next two weeks. The Guide contains a complete list of the types of music available from the 125 SESAC publishers, a brief sketch of each SESAC affiliate and congratulatory letters from broadcasters to the organization in observance of its 10th anniversary. SESAC now has long term licenses with over 750 commercial radio stations, it reports.

Cranston Manages CKOC

W. T. CRANSTON, sales manager of CKOC, Hamilton, Ont., has been named manager of the station, succeeding M. V. Chesnut, who has taken a position with All-Canada Radio Facilities Ltd., at its main office in Toronto. W. M. Guild of the sales staff becomes sales manager, while W. A. Speers, now assistant manager of CKCK, Regina, moves East to take a similar position with CKOC. All changes are effective Aug. 1.

Higgins Resigns From WOR

HAROLD HIGGINS, manager of the Chicago sales office of WOR, New York, on Sept. 1 is resigning to join a station as salesman. No successor has yet been named, and it is understood that John Shelton and Robert Wood, both of the Chicago office, will continue in their present positions as salesmen.

MARTIN GOSCH and Howard Harris have returned to New York after several months in Hollywood where they wrote the Paramount screenplay of their original, "Hula Honeymoon." They will audition "Mr. and Mrs. North" for fall radio sponsorship before secluding themselves in Connecticut to write a play.

The Other Fellow's VIEWPOINT

Mr. Cisler Expounds

EDITOR, BROADCASTING:

Your issue this week [July 21] was certainly packed with the stuff.

First, the Craney letter on NAB and ASCAP deserves some comments. NAB has done a lot of good work since Neville Miller went in. We agree with Craney that there should be a broadcasters' organization *without network membership.*

Leaving NBC-CBS-MBS outside, there will still be plenty of "inside influence" from some of the big boys affiliated with the various chains. But at least the networks will not be the guiding lights, as more and more of us feel is the case at present. But it seems to me that this is something that can be done with the present NAB by a simple but thorough reorganization, rather than setting up a new group.

Ed has hit the nail on the head with respect to this ASCAP matter. Despite the wonderful work of BMI, more and more weak-willed broadcasters are edging toward the evils of an ASCAP blanket percentage fee with the only variation being the degree of fee. Next, some of our "leading industry figures" are brought to push the NBC and CBS proposals to pass part of the ASCAP network fee back on the affiliate. Not a single network or "industry leader" has sought or placed on public record a plan for a fixed fee basis per number, per program, or per month. No one has ever given me an answer as to *why we can't buy ASCAP music like we buy news or transcriptions, on so much money per month, come Hell or high water?*

Andrew Bennett's letter as you printed it should encourage many broadcasters to fight on for a better ASCAP deal. But your issue also contains the news that the Bulova group (managed by the same Mr. Lafount to whom the Bennett letter was addressed, and head of the NIB) signed the present ASCAP system of licenses. No doubt Mr. Lafount was ordered to by Bulova, who, being a New Yorker, is constantly exposed and impressed by the bushwah and propaganda and pressure handed out by the ASCAP people in his home town.

As I see it, the fight against ASCAP is going to be pushed and won by the Southerners and Midwesterners and Far Westerners (exclusive of Hollywood) who don't meet Mr. Buck on Times Square, who don't invite Irving Caesar in for cocktails, and who only figure in plain American English: "Why should we pay ASCAP 3% on our gross for music when we buy Associated Press news for $60 or $75 per week?"

The trouble with the radio industry is that too much business and too many decisions are made by New Yorkers with a viewpoint limited by the Hudson River and the Atlantic Ocean. Some of our worthy "industry leaders" can't imagine how any 250-watter could object to paying 3% to ASCAP instead of the old 5%.

Now MBS comes along and agrees with AFRA to cut off any affiliate that will not agree to arbitrate its labor differences with the specific provision that an AFRA closed shop will be demanded if a majority is proved by AFRA. Both MBS and AFRA forget that there are still a few free men in some sections of the country who have a mind of their own, and who will do their own bargaining and not under duress.

The same applies to ASCAP, to the FCC monopoly report, the newspaper situation, etc. that use fifth column and dust cloud tactics to obscure the truth.

But over all the disputes, overshadowing the provincialisms and the radical outlaws on all questions, is the great mass of apathetic station owners and managers who don't know what is going on; regard everything from a distant vantage of their own immediate revenue; and go on their way "letting George do it" until "George" has "done" them and it is too late for repairs.

I could undoubtedly be making more sales of time if I paid more attention to running WGRC and less time yapping about the troubles of the industry or the independent station, but I read your magazine each week and get a good picture of what is transpiring and it all results in a state of lather over possible future effects on my own station or my competition.

Despite my personal feeling that many of your articles are written with a network (especially NBC) bias, and that all the advantages and disadvantages aren't weighed exactly, I still think you do a grand job of covering what is going on. If more station owners and managers would read your magazine from cover to cover, at night, in the comfort of their homes, and then analyze what the effect is on their own stations, and then do something, this whole business would be run a lot different.

STEVE CISLER,
WGRC, New Albany, Ind.
July 22.

GET-TOGETHER of WMBG, Richmond, announcers and former announcers the other day brought into the studio Lieut. Felix Boswell, formerly with the station and now with the Canadian Royal Air Force. He was on a short furlough, and broadcast his impressions of flying vs. announcing.

Locked Jaw

HERE'S the latest in the modernization of the Army. Bob Wear, who does a quarter-hour daily show on KGKO, Fort Worth, with telegraphed news from Texas Army camps and Fort Sill, Okla., was a little bit abashed when he received this release from Camp Barkeley: "Third Army notified 45th Division headquarters today that 'anti-tank' injections for all soldiers had been postponed". After recovering from his surprise, Wear checked with public relations officers at Camp Barkeley and discovered that the release should have read "anti-tetanus injections".

Home Products Shortwave

AMERICAN HOME PRODUCTS Corp., Jersey City, has signed a 39-week renewal contract with NBC's International Division for Wednesdays, 7:15-7:30 p.m., on WNBI and WRCA. Replacing the musical programs formerly broadcast to Latin America, the new series, *El Desfile Pan Americano*, is dramatic, a Spanish version of *America the Free*, currently on the Red network for the same sponsor. Shortwave program, advertising Kolynos, is placed through John F. Murray Adv. Agency, New York; domestic program, for Anacin, through Blackett-Sample-Hummert, New York.

Liberty on Coast

MACFADDEN PUBLICATIONS New York (*Liberty* magazine), on Aug. 13 will begin sponsorship of *Bob Garred News* on five CBS Pacific Coast stations (KNX KSFO KIRO KARM KOIN), Monday, Wednesday and Friday, 7:30-7:45 a.m. (PDST). Contract is for 13 weeks. Erwin, Wasey & Co., New York, handles the account.

Digest Discs

READERS DIGEST, Pleasantville, N. Y., will start one-minute transcriptions thrice weekly on WGY, Schenectady, WMAQ, Chicago, and WTAM, Cleveland, with possibly more stations to be added Aug. 26 to run through Oct. 25. BBDO New York, is the agency.

MBS Adds in Florida

WJHP, Jacksonville, and WTSP, St. Petersburg, join MBS Aug. 4, the network's first Florida affiliates. They bring the total Mutual list to 174.

Mar-O-Oil Returning

MARROWS Inc., Chicago, which sponsored *George Fisher, Hollywood Reporter*, last Spring in a 26-week campaign for Mar-O-Oil Shampoo, will resume the program on MBS Sept. 28, using about 80 stations, Sundays, 1:15-1:30 p.m. (EST). Agency is Hays MacFarland & Co., Chicago.

EVERYONE SEEMED to be having a jolly time at the dedicatory broadcast the other day honoring the 50,000 watts acquired by KOB, Albuquerque. NBC Announcer Don Wilson and Martha Tilton, featured vocalist with Gordon Jenkins' orchestra were co-starred. In the picture (l to r) are Van Haaften, KOB program director; Wilson; Miss Tilton; Mary McConnel Hickox, head of the continuity department; Frank Quinn, manager of KOB; and George Johnson, chief engineer.

Radio Equipment Delays Lead to Gates Warning

DIFFICULTIES met in securing materials for the construction of transmitters have caused Gates Radio & Supply Co., Quincy, Ill., to issue a warning to stations planning expansions and to new licensees to get their contracts in early, either for early shipment or for reserve in order to assure equipment for scheduled openings.

Gates states the necessity is indicated by the fact that a little over a month ago four 250-watt transmitters were available for 30-day delivery. Today these have all been reserved, and future orders are being accepted for delivery not earlier than October. The situation does not show any promise of improvement, it was stated, because raw materials are becoming increasingly hard to obtain.

Among contracts received by Gates and assured of prompt delivery, the company lists those of WMVA, Martinsville, Va.; WMIS, Natchez, Miss.; KGIW, Alamosa, Col.; WSON, Henderson, Ky.; WGAA, Cedartown, Ga.; WLDS, Jacksonville, Ill.

The last-named was authorized for construction last May to the firm of Stephenson, Edge & Korsemeyer, a partnership. Hobart Stephenson is the prime mover in this project, and is an instructor at the Illinois State School for the Blind. He is himself blind, but has a thorough knowledge of the technical side of radio.

Iowa Grid Plans

NEGOTIATIONS for the broadcasting of the Iowa-Minnesota and Indiana-Iowa football games this fall have been completed by WHBF, Rock Island, Ill. Van Patrick, sports director of WHBF, will be at the mike for both games. Mr. Patrick is also making arrangements for broadcasts of U of Illinois games.

IN BALTIMORE IT'S WFBR
NATIONAL REPRESENTATIVES EDWARD PETRY & CO.
ON THE NBC RED NETWORK

Errors in List

(*Continued from page 18*)

"A" station, although the manager of that station reports that Dexter Moss, publisher of the *Tulsa Daily Legal News*, which carries no news or editorials but merely lists legal nctices, owns only 20% of the stock of Oil Capitol Sales Corp., licensee of the station, and has nothing whatever to do with operation or policy.

Object to Being Listed

It is understood that objections have been raised to the inclusion of WLS, Chicago, WKAT, Miami Beach, and KATE, Albert Lea, Minn., in the newspaper list by the principals in those stations. WLS is under the same ownership as the *Prairie Farmer*, bi-weekly farm paper published in Chicago, the principal being Burridge D. Butler. Mr. Butler also owns the *Arizona Farmer*, a monthly, controls KOY, Phoenix, and has a minority interest in KTUC, Tucson.

WKAT is controlled by A. Frank Katzentine, attorney and onetime mayor of Miami Beach, who reports he owns less than 30% of the stock of the *Miami Beach Society Pictorial*, which is merely a weekly social magazine, and he states that he does not consider this as placing him in the newspaper category. His station is classified as "A".

KATE is 49% owned by E. L. Hayek, who also is interested in the Trades Publishing Co., publishing the *Northwestern Jeweler*, a monthly trade paper. Mr. Hayek reports that he does not regard this as a "newspaper interest."

The original master list, further evidencing the carelessness of its compilation, has incorrect call letters for three stations: KGBX is listed as KGEX; WKBH as WKBK; WTHT as WTRT.

School Buying Time

NATIONAL SCHOOLS, Los Angeles, on behalf of its courses in aircraft, Diesel and television engineering, has started participations and recorded music shows varying from two to 52 weeks on the following stations: WHLB WGRC WNEW WOWO WDZ. Agency is Huber Hoge & Sons, New York.

NORTH CAROLINA IS THE SOUTH'S NO. 1 INDUSTRIAL STATE!

VALUE of MANUFACTURED PRODUCTS

Source: — Census of Manufactures, 1939

WPTF in Raleigh is NORTH CAROLINA'S NO. 1 SALESMAN!

680 KC NBC Red 50,000 Watts

FREE & PETERS, Inc., National Representatives

THE Business OF BROADCASTING

STATION ACCOUNTS

sp—studio programs
t—transcriptions
sa—spot announcements
ta—transcription announcements

KDKA, Pittsburgh

American Chicle Co., Long Island, N. Y. (Chiclets), 6 *t* weekly, 13 weeks, thru Badger & Browning, Boston.

American Cigarette & Cigar Co., N. Y. (Pall Mall Cigarettes), 12 *t* weekly, 13 weeks, thru Ruthrauff & Ryan, N. Y.

American Fruit Growers, Chicago, 52 *sa*, thru Walker & Downing, Pittsburgh.

Foster Milburn Co., Buffalo (Doan's Pills), 104 *t*, thru Street & Finney, N. Y.

Kellogg Co., Battle Creek, Mich. (Pep), 45 *t*, thru Kenyon & Eckhardt, N. Y.

John Morrell Co., Ottumwa, Ia. (E-Z Cut Ham), 290 *sp* (participation), thru Henri, Hurst & McDonald, Chicago.

Phillips Packing Co., Cambridge, Md. (soups), 65 *sa* thru Aitkin Kynett Co., Philadelphia.

Ball Bros., Munice, Ind. (Mason jars), 39 *sp*, thru Applegate Adv. Agency, Muncie.

Campbell-Woods Co., Pittsburgh (Breakfast Cheer Coffee), 26 *t*, thru J. Grant Co., Pittsburgh.

Household Finance Corp., Pittsburgh, 5 *sa* weekly, 52 weeks, thru BBDO, N. Y.

Hurley Machine Co., Chicago (Thor washing Machine), 39 *sp*, thru E. H. Brown Adv. Agency, Chicago.

Kerr Glass Mfg. Corp., Los Angeles, 40 *sa*, thru Raymond R. Morgan Co., Hollywood.

Planters Nut & Chocolate Co., Wilkes-Barre, Pa., 312 *sp*, thru Raymond R. Morgan Co., Hollywood.

WRC, Washington

Borden Co., N. Y. (cheese), *sa* 13 weeks, renewal, thru Young & Rubicam, N. Y.

McCall Corp., N. Y. (Redbook magazine), 18 *sa*, thru Joseph Katz Co., N. Y.

Procter & Gamble Co., Cincinnati (soap), *sa* 13 weeks, thru Compton Adv., N. Y.

Radbill Oil Co., Philadelphia (Renuzit), *sa* 13 weeks, thru Harry Feigenbaum Adv. Agency, Philadelphia.

Studebaker Sales Corp., South Bend, Ind. (cars), 13 *sp*, thru Roche, Williams & Cunnyngham, Chicago.

Swift & Co., Chicago (shortening), 156 *sa*, thru J. Walter Thompson Co., Chicago.

MacFadden Publications, N. Y. (magazines), 21 *sa*, thru Arthur Kudner Inc., N. Y.

CJRC, Winnipeg

Massey-Harris Co. Ltd., Toronto, (farm machinery) 6 *sp* weekly, thru Cockfield Brown & Co. Ltd., Winnipeg.

WNEW, New York

Erie Railroad Co., Cleveland (vacation trips), 6 *sa* weekly, thru Griswold- Eshleman Co., Cleveland.

Salz Bros., New York (pen and pencil sets), 5 *sp* and *sa* weekly, 18 weeks, thru S. R. Leon, N. Y.

Koven Oil Burner Co., New York, weekly *sp* thru Lucerna Co., N. Y.

WQXR, New York

J. B. Williams Co., Glastonbury, Conn. (Aqua-Velva shaving lotion), 14 *sa* weekly, 13 weeks, thru J. Walter Thompson Co., N. Y.

Ben Marden's Riviera, New York (night club), 10 *sa* weekly, 13 weeks, thru J. R. Kupsick Adv. Agency, N. Y.

KGKO, Fort Worth-Dallas

United Aireraft Institute, Dallas (aircraft school), 260 *t*, direct.

Long Horn Cavern, Burnet, Tex., (tourist trade), 42 *t*, thru Rogers & Smith Adv. Agency, Dallas.

American Academy of Accountancy, Chicago (training), *sp* series, thru First United Broadcasters, Chicago.

Monarch Mfg. Co., Chicago (cameras), *sp* series, thru Henry J. Handelsman Jr., Chicago.

WAPI, Birmingham

Florida Citrus Commission, Lakeland, Fla., 5 *ta* weekly, 13 weeks, thru Arthur Kudner Inc., N. Y.

Postal Telegraph-Cable Co., New York, *sa* weekly, thru Bjow Co., N. Y.

Silver Mirror Co., Chicago, 3 *sp* weekly, 13 weeks, thru First United Broadcasters, Chicago.

KGO-KPO, San Francisco

Standard Beverages, Oakland, Cal. (soft drinks), *sa* series, thru Emil Reinhardt, Oakland.

Marvelous Marin Inc., San Rafael, Cal. (Chamber of Commerce) *ta* series, thru Theodore H. Segall, San Francisco.

Washington Co-Op Egg & Poultry Assn., Seattle, 2 *sa* weekly, thru Pacific National Adv. Agency, Seattle.

Bekins Van & Storage Co., Los Angeles, 2 *sa* weekly, thru Brooks Agency, Los Angeles.

Standard Beverages, Oakland, Cal. (soft drinks), *sa* series, thru Emil Reinhardt, Oakland.

Kellogg Co., Battle Creek (Pep), 5 *sa* weekly, thru Kenyon & Eckhardt, N. Y.

Marvelous Marin Inc., San Rafael, Cal. (Chamber of Commerce), *ta* series thru Theodore H. Segall, San Francisco.

White Labs., Newark (Chooz), 5 *sa* weekly thru H. W. Kastor & Sons, Chicago.

WINS, New York

K. Arakelian Inc., New York (Mission Bell wines), 60 *sa* weekly, 16 weeks, thru Firestone Adv. Service, N. Y.

Commerce Insurance Agency, 28 *sp* weekly, 13 weeks, thru Klinger Adv. Corp., N. Y.

I. J. Fox Inc., New York (furriers), 70 *sa* weekly, 6 weeks, thru Lew Kashuk, N. Y.

Gardner Nurseries, Osage, Ia., 6 *sp* weekly, 2 weeks, thru Northwest Radio Adv. Co., Seattle.

P. K. Wrigley Co., Chicago (chewing gum), 36 *sa* weekly, 52 weeks, thru Vanderbie & Rubens, Chicago.

WTAG, Worcester, Mass.

Corn Products Refining Co., New York (Linit), 3 *sp* weekly, thru C. L. Miller Co., N. Y.

Macfadden Publications, New York (*True Story*), 17 *ta*, thru Arthur Kudner Inc., N. Y.

Foster-Milburn Co., Buffalo (Doans), 104 *ta*, thru Street & Finney, N. Y.

California Fruit Growers Exchange, Los Angeles (Sunkist), 100 *sa*, thru Lord & Thomas, Los Angeles.

Reader's Digest Assn., Pleasantville, N. Y., 10 *ta*, thru BBDO, N. Y.

Atlantic Refining Co., Philadelphia (White Flash), 5 *sa*. thru N. W. Ayer & Son, N. Y.

CJCA, Edmonton, Alta.

General Dry Batteries of Canada Ltd., Toronto, 78 *sa*, thru A. McKim Ltd., Toronto.

Ogilvie Flour Mills Ltd., Montreal, 78 *sp*, thru J. J. Gibbons Ltd., Toronto.

KFI-KECA, Los Angeles

Hauser Food Products Co., Los Angeles (Hauser Brand Sauce), weekly *sp*, thru McElroy Adv. Agency, Los Angeles.

Kellogg Ant Paste Co., Los Angeles (anticide), 5 *sp* weekly, thru W. C. Jeffries Co., Los Angeles.

Bullock's Inc., Los Angeles (retail), 3 *sp* weekly, thru Dana Jones Co., Los Angeles.

Loma Linda Food Co., Arlington, Cal. (breakfast cereal), weekly *sp*, thru Gerth-Knollin Adv. Agency, Los Angeles.

Yellow Cab Co., Los Angeles (transportation), 2 *ta* weekly, thru Rufus Rhoades & Co., San Francisco.

Marlin Firearms Co., New Haven (razor blades), 3 *ta* weekly, thru Craven & Hedrick, N. Y.

Supreme Bakery Co., Los Angeles (bread), 5 *sp*, 5 *t* weekly, thru Sidney Garfinkel Adv. Agency, Los Angeles.

Southern California Ford Dealers' Adv. Fund, Los Angeles, 6 *sp* weekly, thru McCann-Erickson, Los Angeles.

WPAT, Paterson, N. J.

S. A. Schonbrunn & Co., New York (Savarin Coffee), 60 *ta* weekly, thru M. H. Hackett, N. Y.

Vim Electric Co., Brooklyn, N. Y. (Philco radio distributors), 30 *sa* weekly, thru Samuel Singer Agency, Brooklyn, N. Y.

Flormann's Radio & Electric Service, Paterson, N. J. (Philco radio distributors), 15 *sa* weekly, thru Sternfield, Godley, Inc., N. Y.

Jim Dale Stores, Inc. (men's clothing), 24 *sa* weekly, thru Reiss Advertising, N. Y.

WBBM, Chicago

McFadden Publications, New York, 2 *sa* weekly, thru Erwin, Wasey & Co., N. Y.

Procter & Gamble Co., Cincinnati (Ivory soap flakes) 2 *sa* weekly, thru Compton Adv., N. Y.

WMAQ, Chicago

Perfection Stove Co., Cleveland (Superfex Heaters), 26 *sp*, thru McCann-Erickson, Cleveland.

Atlantic Commission Co., New York (peaches in A & P Stores), 21 *sa* weekly, thru Paris & Peart, N. Y.

Manhattan Soap Co., New York, 5 *sp* weekly, 13 weeks, thru Franklin Bruck Adv. Corp., N. Y.

WGN, Chicago

Bosco Co., New York (chocolate syrup), 3 *sp* weekly, 52 weeks, thru Kenyon & Eckhardt, N. Y.

Macmillan Petroleum Corp., Los Angeles (Ring Free Oil), 6 sp weekly, 13 weeks, thru Roy S. Durstine Inc., N. Y.

Independent Milwaukee Brewery, Milwaukee (Braumeister beer), 5 *sa*, thru Allen Rieselbach, Milwaukee.

Bosco Co., New York (Milk Amplifier), 2 *sp* weekly, thru Kenyon & Eckhardt, N. Y.

WAAT, Jersey City

Nehi Corp., Columbus, Ga. (Royal Crown Cola), 7 *sp* weekly, thru BBDO, N. Y.

50% AUTO SLASH IS REGARDED CERTAIN

WITH an eventual cut of as much as 50% in automobile production definitely expected, and both the Office of Production Management and the Office of Price Administration & Civilian Supply in agreement on the ultimate size of the reduction, it now appears that the only difference of opinion on the matter lies in how swiftly the cut should be imposed.

Just what difference the outcome of this argument may have on auto companies' radio advertising budgets, as they turn increasingly from non-defense to defense manufacturers, was not clear in broadcasting circles, although it was generally agreed the drastic reduction would have its effect on all advertising media [BROADCASTING July 14].

Culminating an open conflict between OPM and OPACS, William S. Knudsen, OPM Director General, and Leon Henderson, OPACS administrator, last Tuesday were hosts at a luncheon for passenger car manufacturers, at which production problems were discussed in the light of national defense needs for materials used in motor car manufacture. According to present indications, production cuts will start early in August and continue month by month until auto manufactures reach about 50% of the 1940 rate.

Previously OPM has supported a gradual evolution of the auto plants' productive facilities from non-defense to defense needs, with OPACS Administrator Henderson plumping for a far-reaching immediate cut designed to stop automotive manufacturers from "chewing up" large supplies of raw materials which, if turned over to other types of consumer manufacture, could be used more practically, both from the consumers' and the employes' point of view.

Sisson, Welles Confer On Lady Esther Series

IN HOLLYWOOD to supervise replacement of Guy Lombardo with Freddy Martin's orchestra, under sponsorship of Lady Esther Co., Evanston, Ill., which took place Aug. 4, Ted Sisson, New York radio executive of Pedlar & Ryan, is also ironing out details with Orson Welles for a new variety-dramatic series, expected to start on 63 CBS stations Sept. 15, Monday, 10-10:30 p.m. (EDST), for the cosmetic concern.

Welles, whose last sponsor, more than a year ago, was Campbell Soup Co., is said to have an entirely new idea in radio entertainment, and will star in the series originating from the West Coast.

Jack Moss has severed association with Walter Wanger Productions to become partner in Mercury Productions Inc., holding company for Welles' film, theatre, radio and publishing activities.

A NEW transcribed comedy show, *Standing Room Only*, starring Hugh Herbert, movie comedian, is being offered on a half-hour weekly basis by Brisacher Davis & Staff, San Francisco agency, with Herbert's screen tieup, Universal Studios, agreeing to arrange promotion with local theaters.

Radio Advertisers

HAUSER FOOD PRODUCTS Co., Santa Monica, Cal. (Hauser Brand sauce), in a 13-week campaign ending Oct. 15 is sponsoring weekly participation in Agnes White's *California Home* on KFI, Los Angeles. Firm also contracted on July 14 for twice-a-week participation in *Chef Milani* on KMPC, Beverly Hills, and in addition has a weekly quarter-hour *Boulevard Quiz* on KNX, Hollywood. McElroy Adv. Agency, Los Angeles, has the account.

WDRC, Hartford, has signed three leading Connecticut fur concerns, bringing to four the number of furrier sponsors. They are: Harry Glotzer Furriers, five-weekly 50-word sports, July 20-Feb. 1; New England Furriers, three-weekly one-minute spots, 52 weeks from July 14; Freed Fur Shop, seven-weekly 50-word and one-minute spots, starting July 22—all handled by the Wilbur Randall Agency, Hartford. Also signed recently was Robart's Furriers for daily 10-minute program in the morning *Shoppers' Special* and one-minute spots in the afternoon *Ad-Liner*.

NESBITT FRUIT PRODUCTS, Los Angeles (beverages), having completed a 13-week Western campaign, on July 28 started sponsoring for one month the transcribed quarter-hour, *Passing Parade*, featuring John Nesbitt, commentator, thrice weekly on WJR, Detroit, KSTP, St. Paul, KMBC, Kansas City, KECA, Los Angeles. Firm also contracted for 25 transcribed announcements per week on WROL, Knoxville. Agency is Walter K. Neill Inc., Los Angeles.

FANS BY THE HUNDREDS signed a scroll presented to Lowell MacMillan (right), Gulf Oil sports commentator of WHEC, Rochester, by Mayor Samuel B. Dicker, in honor of his tenth year in Rochester radio. Among those on the testimonial committee were Frank E. Gannett, publisher; Oliver B. French, president of the local ball team; John E. Keenan, chairman of the Board of Education athletic committee.

WOR, New York, has announced the signing of Allstate Insurance Co., Chicago, for thrice-weekly AP newscasts by Alois Havrilla, to start Aug. 5, thru E. H. Brown Adv. Agency, Chicago; Maryland Pharmaceutical Co., Baltimore, six-weekly five-minute *Professor Snizz*, starting Sept. 28, thru Joseph Katz Co., Baltimore; Hartz Mountain Products, New York (bird food), *Singing Canaries*, weekly quarter-hour, starting Oct. 5, thru George H. Hartman Co., Chicago; Consolidated Drug Trade Products, Chicago (Peruna, Yeast-foam Tablets, Zymole Trokeys, Kolor-Bak), six-weekly late afternoon 45-minute feature, to start Oct. 6, thru Benson & Dall, Chicago.

KERR GLASS MFG. Co., Los Angeles (Mason jars), has extended its five-weekly spot announcement campaign with an eight-week renewal, effective July 28, on WLS, Chicago; WIBW, Topeka; KFNF, Shenandoah, Ia. Agency is Raymond R. Morgan Co., Hollywood.

CFCF, Montreal, has signed two of Canada's big department stores—the T. Eaton Co., Montreal, starting Aug. 18, sponsoring Christopher Ellis in six weekly newscasts, 8-8:10 a.m.; Henry Morgan & Son Ltd., starting *Adventures of Pinnochio* five days weekly starting in October.

PARAMOUNT PICTURES Inc., New York, to promote its recent release, "Shepherd of the Hills", has been running a two-week schedule of spot announcements on WNEW and WINS, New York. Agency is Buchanan & Co., New York.

GLOBE LABS., Fort Worth (biological chemicals), has renewed a 260-time contract for daily announcements on KGKO, Fort Worth. Same sponsor also presents a Sunday morning newscast. Ray K. Glenn, Fort Worth, is agency.

800% INCREASE
Crispy Nut Roll Skyrockets After Six Months on KIRO

AN 800% increase in sales of Crispy Nut Roll, a candy bar made by the Imperial Candy Co., Seattle, is attributed to a six-month-old quiz program carried on KIRO, Seattle.

Authority for the statement, according to the station, is both the sponsor and the Tom Parry Jones Agency, which handles the account. The program, known as *Candy Questionnaire*, is transcribed in, or outside of various stores selling the candy. Maury Rider and Bob Spence ask questions of passersby, with correct answers receiving samples of the sponsor's product. Questions are supplied by listeners who must send in a wrapper from the bar.

The program was started in February, 1941, and since that time the market area for the product has been enlarged several times. No other media have been used.

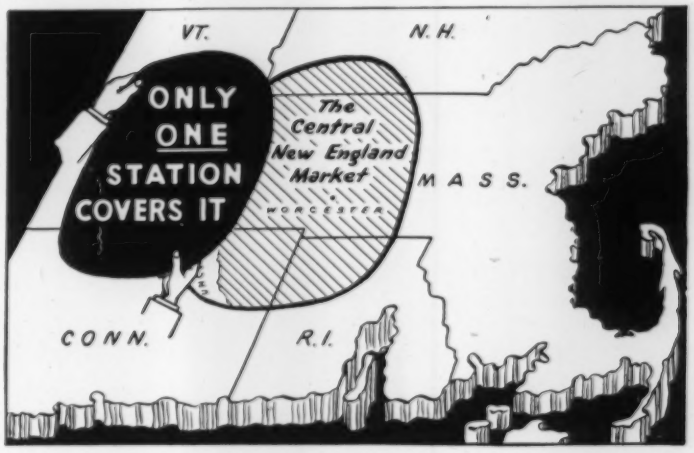
WBOS, Westinghouse shortwave station in Boston, on July 21 started broadcasting an hour of news and music to Europe, beginning at 3 p.m. (EST), bringing its total hours daily to nine. An hour in Portuguese was started July 28, a second hour in French added Aug. 4, and another English hour Aug. 11.

Barton Seeks to Acquire KTHS, Move It Nearer Little Rock With 50 kw.

SOUTHLAND Radio Corp., formed by Col. Tom H. Barton, Arkansas oil magnate and owner of KARK, Little Rock, and KELD, El Dorado, has submitted a new application to the FCC for fulltime with 50,000 watts for KTHS, Hot Springs, coincident with the filing of an application by the Hot Springs Chamber of Commerce for transfer of ownership of the station to the Barton interests. Southland proposes to relieve KTHS from timesharing with KRLD, Dallas, and to locate the new 50 kw. transmitter near Wrightsville, Ark., about 50 miles closer to Little Rock, thus serving both cities as well as the contiguous areas.

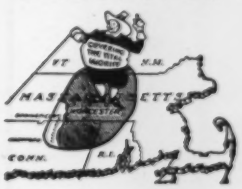
Mr. Barton is president and 98% stockholder in Southland, with C. N. Barton and T. K. Barton as vice-president and 1% stockholders each. G. E. Zimmerman, manager of KARK, is also a vice-president and director. The purchase deal between the Barton interests and the Hot Springs Chamber of Commerce culminates litigation during which Mr. Barton was given first refusal rights to the station in the event it was put up for sale.

LAUREN H. ASHE, for the last 17 years chief of the professional service department of E. R. Squibb & Sons, New York, has been named advertising manager of the company.



You have only to look at Hooper-Holmes Field Survey to prove how thoroughly Central New England retailers are "sold on" WTAG's complete coverage. They name WTAG, three to one, over any other station. And they give the very reasons you want to know — that WTAG is the "most popular station," that "WTAG" has "better service, better coverage." Complete New England radio coverage includes the important central area. And only one radio station — WTAG — has ever qualified with the retailers for merchandising this Central New England area.

WTAG
WORCESTER



NBC BASIC RED AND YANKEE NETWORKS
EDWARD PETRY & CO., INC.—NATIONAL REPRESENTATIVE
OWNED AND OPERATED BY THE WORCESTER TELEGRAM-GAZETTE

When you think of SPOTS...
think of John Blair!
JOHN BLAIR & COMPANY
NATIONAL STATION REPRESENTATIVES
CHICAGO · NEW YORK · DETROIT · ST. LOUIS · SAN FRANCISCO · LOS ANGELES

KFRU
COLUMBIA
Bombshell of Missouri!
Winner of the "George Foster Peabody Award" for Distinguished and Meritorious Public Service Programs in the local channel group during 1940.
1400 KC. ★ 250 Watts

CRYSTALS by
HIPOWER
The Hipower Crystal Company, one of America's oldest and largest manufacturers of precision crystal units, is able to offer the broadcaster and manufacturer attractive prices because of their large production and the exclusive Hipower grinding process. Whatever your crystal need may be, Hipower can supply it. Write today for full information.
HIPOWER CRYSTAL CO.
Sales Division—205 W. Wacker Drive, Chicago
Factory—2035 Charleston Street, Chicago, Ill.

WIGM About Ready

WITH construction now fully under way after having been delayed by poor building conditions earlier in the year, Waldemer C. Porsow, manager of the new WIGM, Medford, Wis., has announced that the station will go on the air in August or early September. Studios and transmitter are located on Highway 13, north of the city limits, and are RCA-equipped throughout, with a Wincharger antenna. WIGM is to operate with 250 watts on 1490 kc.

KWAL Deal Approved

DR. J. R. BINYON, 50% owner of the new KEVE, under construction in Everett, Wash., became 25% stockholder of KWAL, Wallace, Ida., as did H. C. Nichols, when the FCC July 29 granted consent to assignment of license from Chester Howarth and Clarence Berger to the Silver Broadcasting Co. Under the new setup Clarence Berger continues as president and 50% owner of KWAL, paying $5,000 for his interest, while Dr. Binyon and Mr. Nichols assumed the balance for $2,500 each. Originally, when the station was constructed two years ago, Mr. Howarth was supposed to have supplied the capital of $10,000 for the station for 50% ownership, while Mr. Berger undertook the actual construction. Mr. Howarth, however, failed to supply the capital, and as a result relinquished his holdings to Dr. Binyon and Mr. Nichols.

Neckstretching

SEEKING to satisfy the curiosity of that famed group of "sidewalk foremen" who congregate on the railings bordering every construction project, WEOA-WGBF, Evansville, Ind., has established headquarters at a location adjacent to where work is being completed on the tower of the station's FM adjunct, W45V, and has invited passersby to observe the workers 330 feet above through a telescope. Certificates of membership in the Sidewalk Foreman's Club are distributed to observers.

PROFESSIONAL DIRECTORY

JANSKY & BAILEY
An Organization of
Qualified Radio Engineers
Dedicated to the
SERVICE OF BROADCASTING
National Press Bldg., Wash., D. C.

McNARY & CHAMBERS
Radio Engineers
National Press Bldg. DI. 1205
Washington, D. C.

There is no substitute for experience
GLENN D. GILLETT
Consulting Radio Engineer
982 National Press Bldg.
Washington, D. C.

PAUL F. GODLEY
Consulting Radio Engineer
Phone: Montclair (N. J.) 2-7859

JOHN BARRON
Consulting Radio Engineer
Specializing in Broadcast and Allocation Engineering
Earle Building, Washington, D. C.
Telephone NAtional 7757

PAGE & DAVIS
Consulting Radio Engineers
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HECTOR R. SKIFTER
Consulting Radio Engineer
FIELD INTENSITY SURVEYS
STATION LOCATION SURVEYS
CUSTOM BUILT EQUIPMENT
SAINT PAUL, MINNESOTA

A. EARL CULLUM, JR.
Consulting Radio Engineer
Highland Park Village
Dallas, Texas

CLIFFORD YEWDALL
Empire State Bldg.
NEW YORK CITY
An Accounting Service
Particularly Adapted to Radio

Frequency Measuring Service
EXACT MEASUREMENTS
ANY HOUR—ANY DAY
R.C.A. Communications, Inc.
66 Broad St., New York, N. Y.

Radio Engineering Consultants
Frequency Monitoring
Commercial Radio Equip. Co.
Main Office: 7134 Main St. Kansas City, Mo.
Crossroads of the World Hollywood, Cal.

RING & CLARK
Consulting Radio Engineers
WASHINGTON, D. C.
Munsey Bldg. • Republic 2347

AFCCE
RAYMOND M. WILMOTTE
Consulting Radio Engineer
Designer of First Directional Antenna Controlling Interference
Bowen Bldg. • WASH., D. C. • DI. 7417

Advertise in BROADCASTING for Results!

CLASSIFIED *Advertisements*

Help wanted and Situations Wanted, 7c per word. All other classifications, 12c per word. Bold face listings, double. BOLD FACE CAPS, triple. Minimum charge $1.00. Payable in advance. Count three words for box address. Forms close one week preceding issue.

Help Wanted

Salesman — Experienced, capable, hard worker. N. Y. State. Wonderful opportunity. State draft status. Box 753, BROADCASTING

Salesman—For network affiliated station in competitive 100,000 Eastern metropolitan market. Send full particulars first letter to Box 766, BROADCASTING.

Engineers Wanted—For regional station to start $1350 per year with progressive increases to follow. Give full particulars in first letter. Box 768, BROADCASTING.

Engineer—Southern station now 250 watts, applying for 5,000. Announcing not essential but advantageous. Give age, qualifications, picture and salary expected. Box 769, BROADCASTING.

Salesman — Progressive, level-headed business-getter for regional CBS station in southeast. Excellent opportunity for hard worker. Give physical qualifications, schooling, last four employers. Box 757, BROADCASTING.

Office Manager—Southeastern station needs man who can handle people. Radio station experience, fundamental knowledge of bookkeeping. Typing and shorthand helpful. State physical and educational qualifications, last four places employed, salary expected. Box 755, BROADCASTING.

Announcer—Must be versatile and write good copy. Prefer personality man who can do tested morning ad-lib show. Good starting salary and opportunity for all-round man. Send us details, transcription. Photograph will help. WGAC, Augusta, Georgia.

Salesman—Well established MBS affiliate, Southeast, offers excellent opportunity to producer. Drawing account plus commission. Will consider only experienced, aggressive, sober salesman who wants to get ahead. Write full details concerning yourself to Box 758, BROADCASTING.

Sports Announcer—Who knows basketball and football and can do a good job of broadcasting these events. Applicant must appear for personal interview. This is a permanent position and great care will be taken to employ the best man available. Box 761, BROADCASTING.

Situations Wanted

Staff Announcer—Newscaster; four years network affiliates. Wilson, No. 209-514 South Union Drive, Los Angeles.

Situations Wanted (Continued)

Announcer — Experience, 6½ years. Now employed, regional net station. Production, programming ability. Specialty news. Draft exempt for year or more. Transcription available. Box 7[illegible] BROADCASTING.

Summer Or Permanent—Operator 1st class 3½ years with 5 KW; installation, maintenance, studio, remote, and transmitter experience. Age 23, BS degree radio communications, will go anywhere. Box 7[illegible] BROADCASTING.

Nationally Known Network Personality-Age 37, with ten year's experience, seeks radio directorship with progressive advertising agency. Can deliver superlative programming and dependable coordination. Write Box 756, BROADCASTING.

Continuity Writer-Announcer!—Experienced on metropolitan and rural area stations. Now employed, but desire change to larger station and better salary. "Selling" copy. Special events, news, markets, etc. College graduate. Married. Disk. State your proposition. Box 7[illegible] BROADCASTING.

Experienced Sports Announcer—Wants job in large market this fall. 4 years' professional experience. Have announced over 400 baseball games, Class D, C, double A and Major Leagues, 36 football, 90 basketball, 75 golf, 80 boxing, 20 bowling and other events. 22 years old, sober, draft exempt. Box 7[illegible] BROADCASTING.

Experienced Announcer—28, married, handled commercials, symphonic and dramatic narrations, also 2 years education radio, many years professional stage experience. Easily adaptable. Reliable, willing worker. Good references. Box 7[illegible] BROADCASTING.

Station Promotion, Public Relations, Or Agency Position — Desired by young woman with programming, production and successful radio sales experience, also newspaper and department store advertising. Broad cultural and educational background. Now employed network affiliate. Available September 15. Box 767, BROADCASTING.

Wanted to Buy

WANTED—Engineer desires interest in small station. Has cash, transmitter, Hammond Organ, etc. to apply. Box 7[illegible] BROADCASTING.

In the CONTROL ROOM

RUDY MUCKELDORF, of Blue Rapids, Kan., has joined the transmitter staff of KFRO, Longview, Tex.

GERALD HILTZ, formerly of WCBA, Allentown, Pa., has joined the engineering staff of WPEN, Philadelphia.

MORRIS M. MING, chief engineer of KFRO, Longview, Tex., has resigned to accept a similar position with KSKY, recently granted a construction permit in Dallas.

PAUL HORTON, formerly an instructor in radio at the Marshall, Tex. NYA school, has been added to the engineering staff of KFRO, Longview, Tex.

FRED H. BRILL, formerly supervisor of radio of the National Youth Administration in Connecticut, has joined WDRC, Hartford, as a control operator.

CHARLES E. BURCH, formerly with WHUB, Watsonville, Cal., is now an operator with WSIX, Nashville.

WALTER KNOOP, a graduate of Rensselaer Polytechnic Institute and formerly with Detroit Edison in the sales department, has joined Allen B. DuMont Laboratories, Passaic, N. J., as sales engineer and will assist Len Cramer, in charge of instrument and television transmitter sales.

CARL LINDBERG, formerly of WKBN, Youngstown, O., has joined the engineering staff of WJSV, Washington.

THIS YOUNG LADY is holding a tube and radiator specially designed for FM and television by General Electric engineers. She is pointing at another installed in the 3,000-watt FM transmitter, which requires two of these tubes, each capable of an 1,800-watt output for FM service and cooled by air blown through its copper radiator.

IBEW SIGNS MORE ALABAMA OUTLETS

ANNOUNCEMENT of the signing of an agreement between WCOV, Montgomery, Ala., with Local No. 443, International Brotherhood of Electrical Workers, covering technicians and engineers employed by the station, has terminated a long controversy between the station and the IBEW. Proceedings before the National Labor Relations Board were instituted against WCOV by the union following dismissal of certain employes allegedly because of union activities. Several months ago the NLRB issued a decision ordering WCOV to reinstate the discharged employes. The agreement is said to have ended any further action by the Labor Board.

IBEW also announced that negotiations with WSFA, Montgomery, Ala., for a renewal of its agreement covering technicians had been completed. Technicians employed at WALA and WMOB, Mobile, who are members of Radio Broadcast Technicians' Local No. 1264, affiliated with the ABT Unit of IBEW, recently concluded negotiations for agreements. Clifford T. Lee, international representative of the union, was in charge of negotiations with the Montgomery and Mobile stations. All agreements are of the standard IBEW-Radio Broadcasting Industry form, and carry provisions covering wages, vacations, union membership and other conditions of employment.

FOURTH application for a new station in the Baton Rouge area, all of which have been set for a consolidated hearing by the FCC, has been received from Louisiana Communications Inc. for facilities on 1400 kc. to use 250 watts. Principals are Robert A. Hart, II, in the motion picture and amusement business, president and general manager, 47½%; stockholder; A. Higginbotham, also in the same business, secretary-treasurer, 47½%; John F. Hart, suburban water distributor and realtor, vice-president, 5%.

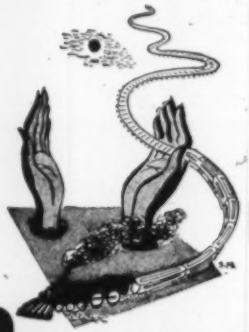
NO ENGINEERS AT ALL
But WBTH Stays on the Air
With Aid of WHAS

MARY GAUNT WEST, radio editor of the *Louisville Courier Journal*, tells this one. A frantic telephone call to WHAS chief engineer W. O. Towner revealed that WBTH, Williamson, W. Va., 250-watt outlet, would go off the air at 6 a.m. the following day unless a licensed engineer could be begged, borrowed or kidnaped.

Mr. Towner dispatched W. S. Blanton to West Virginia and the station continued to serve the public. Sudden illness and the draft were the cause of the dearth of engineering talent at WBTH.

Electron Microscope Is Made More Penetrating

OPERATION of the RCA electron microscope at approximately five times the previous voltage, making it possible for the electronic "eye" to penetrate objects two or three times as thick as heretofore, is reported by RCA as a part of its continuing program of research on the instrument. Magnification of the electron microscope, roughly 50 times greater than is possible with optical instruments, is unchanged by the increased voltage. But the experimental use of potentials as high as 300,000 volts causes the electrons to travel with two or three times the velocity of the commercial instrument, giving a proportionate increase in penetration.



DOUBLY HANDY

Opening through its own passageway directly into Grand Central Terminal, the Hotel Roosevelt offers you perfect convenience on your arrival in New York . . . And because of its location at the heart of Manhattan's great mid-town section, it affords the same kind of convenience for all outside activities . . . Doubly handy and doubly enjoyable . . . Large outside rooms with tub and shower, from $4.50.

HOTEL ROOSEVELT
BERNAM G. HINES, *Managing Director*
MADISON AVE. AT 45th ST., NEW YORK
Direct Entrance to Grand Central Terminal

Studio by JOHNS-MANVILLE

WENY
Elmira N.Y.

Like hundreds of other stations, WENY makes sure of brilliant broadcast quality by treating studios and other locations with

JM JOHNS-MANVILLE
Sound-Control Materials
and Acoustical-Engineering Service

The Sun of the T·V·Area

It's really shining its brightest! One hundred and ten million dollars going for three TVA dams and power plants! . . . Textile mills and other industries on 24-hour day! . . . Aluminum Company doubling capacity of plant! Full details of these teeming activities . . . and how they affect *your* market . . . free, of course, on request . . . Ask the Branham Company.

Scripps-Howard Radio, Inc.
CBS . . . 990 Kc.
5,000 W. Day, 500 W. Night

C. P. GRANTED
10,000 Watts Full Time

WNOX
KNOXVILLE

KIRO SEATTLE STEPS UP TO 50,000 WATTS!

FROM KIRO's two super-power directional antennae—112,000 watts across salt water to every Pacific Northwest population center, including principal Alaskan cities! That's what KIRO's increase to 50,000 watts means to you! Here's a point: KIRO's rates are based on United States coverage alone! KIRO's *strong signal in five major Canadian cities costs you exactly nothing!* In the Northwest, everybody's turning to KIRO!

KIRO
50,000 WATTS • SEATTLE

REPRESENTED NATIONALLY BY
FREE & PETERS, Inc.
CHICAGO 180 N. Michigan
SAN FRANCISCO 111 Sutter
NEW YORK 247 Park Ave.
LOS ANGELES 630 S. Grand
DETROIT New Center Bldg.
ATLANTA 322 Palmer Bldg.

Newspaper Hearings

(*Continued from page 9*)

fall in the higher income brackets. In the case of WLW, he cited that the general counsel of the company (Charles W. Sawyer) was a qualifying stockholder of the Crosley Corp. and because he owned a small Ohio newspaper, WLW was listed as a newspaper station. In the case of WHO, he declared three individuals who owned 1/3 of 1% of the station's stock happened to own less than 3% in newspaper stock, thus resulting in the classification of that station as a newspaper outlet.

After Mr. Kaye observed that until these discrepancies were cleared up, the whole body of information based on the newspaper-ownership exhibits would be fallacious, FCC Attorney David Lloyd argued that the information largely was taken from data supplied the Commission by the stations themselves in license reports and that the errors therefore could not be laid upon the Commission's staff. Licensees, he declared, should be forced to make proper reports, asking the Commission to mark the exhibits for identification for the purpose of testimony.

Chairman Fly ruled that the Commission could not refuse to accept the exhibits and that they could be marked for identification. He pointed out that they have not been admitted as testimony, with the ruling probably to come later.

Alleged Earnings Of 'Newspaper Stations'

When Mr. Sutton began his explanation of the exhibit dealing with vital statistics of newspaper and non-newspaper stations in the various categories, purporting to show that newspaper stations as a group earned greater "broadcast service income" than non-newspaper stations in similar classifications, Commissioner Craven took up the questioning.

Mr. Sutton had pointed out that each of the eight fulltime 50,000-watt stations listed as affiliated with newspapers had average time sales of approximately $1,000,000 in 1940, and broadcast service income of approximately $324,000. He identified these stations, under questioning by Commissioner Craven, as KSL, KWKH, KRLD, WGN, WHAS, WHO, WSB and WLW. Of these, he said that WGN, KWKH, WHAS, KRLD and WSB were so-called Class A newspaper stations, in that 50% or more of the stock was owned by newspapers or persons interested in newspapers, or by combinations of holdings of newspapers. Classified as Class B stations, with less than 50% newspaper ownership, were WLW, WHO and KSL.

Mr. Sutton admitted that if certain of the larger stations, plus others not properly classified as newspaper-owned, were removed from his computations, the average earnings and income would drop materially. By the same token, he said, in responding to Commissioner Craven, if these stations were placed in the non-newspaper group, their averages would correspondingly increase.

Analyzing another exhibit, dealing with tangible property owned and devoted exclusively to broadcast stations—covering newspaper-affiliated stations as against network-managed and operated stations and "all other stations"—Mr. Sutton said that the equipment costs of all groups generally appeared to be uniform, but that depreciation figures were not uniform. He pointed out that 282 alleged newspaper-affiliated stations had investments of approximately $20,250,000 in tangible property devoted to broadcast service, and a depreciated cost of $12,000,000, or a ratio of 59.2%. This compared to costs of approximately $10,000,000 in 31 network-managed and operated stations, with depreciated costs of $4,000,000, or about 40.5%. The cost of 452 "other stations" was given as $27,750,000, with the depreciated cost as approximately $16,000,000, or 57.6%.

Caldwell Challenges Value of Exhibits

Louis G. Caldwell, counsel for WGN, owned by the *Chicago Tribune*, cross-examined Mr. Sutton in detail and in effect challenged the value of the exhibits not only because of the inclusion of stations of questionable newspaper status, but also because he contended certain other fundamental factors were not taken into account.

He estimated that if WLW, WHO and KSL, the three so-called Class B newspaper stations in the 50,000-watt category, were taken out of the compilations, it would result in a drop of one-fifth of the broadcast service income of the entire list of stations. Mr. Sutton did not think it would be "quite that much" but agreed it would be substantial.

Mr. Sutton did not concur in the WGN counsel's observation that the FCC, in these exhibits, was trying to show that newspaper ownership of stations has the effect of increasing time sales and income of

FM
with Simplified CIRCUIT DESIGN
GENERAL ELECTRIC

IT TOOK A TRACTOR-TRAILER to carry the mobile recording unit of WOOD-WASH, Grand Rapids, up to the summit of an almost inaccessible sand dune on Lake Michigan for a broadcast from the summer camp of the Western Michigan Campfire Girls. William Eardly, Community Chest director, manned the trailer, while Richard Groeneveld, station engineer, held tight to his precious equipment.

stations. The FCC accountant said that the exhibits were prepared on the basis of the newspaper list supplied for the hearing and that they were all comparable.

Comparisons With M&O Stations

Injecting some of the network monopoly proceeding flavor into the inquiry, Mr. Caldwell asked why the Commission listed separately the managed and operated stations of the major networks. He contended that out of the 31 stations so classified 23 were NBC and CBS outlets and accounted for nearly all the profit.

Mr. Sutton was asked whether he had any reason to believe that if these stations had not been network-operated their time sales would not have been as large, and he replied that unquestionably market is an important factor but that it is not the most important from the standpoint of time sales. Management and operation of the stations from central headquarters in New York has a bearing on time sales, he said.

Asked by Mr. Caldwell what proportion of network time sales was credited to the M&O stations for the purpose of the compilations, Mr. Sutton said that it ran between 20% and 35%, though in one or two cases the ratio might be as high as 40%. He agreed with Mr. Caldwell that the average was not as high as that paid some of the affiliated non-owned stations.

Mr. Caldwell sought to ascertain that, if there were any faults in the figures relating to M&O stations, it was actually that these stations are shown to make less return than they really do and that they "underestimate".

Fan My Brow!

A TOP feature of the recent big *Aluminum Radio Review*, presented cooperatively by eight St. Louis stations, was distribution of some 1,000 merchandise items to the crowd. Next morning the City Auditorium management and station officials were amazed to learn that during the confusion of the prize-giving, three 16-inch fans, for which the Auditorium had been waiting for three months, had been grouped into the mound of prizes and given away. The management now is offering an additional award to the prize-winners if they will return the fans.

What About Markets, Power, Management?

After a series of questions regarding market, desirability of assignment, signal and other factors, Mr. Caldwell asked if it were not a fact that newspaper ownership constitutes only one element and that the Commission should have taken into account size of market, frequency, power, degree of competition and other factors in relation to station earnings. He insisted that newspaper ownership was not the controlling factor in time sales. Moreover, he said, no weight had been given the factor of efficient management.

Mr. Sutton said that these other factors unquestionably have some bearing on the over-all picture, but that he did not feel it was necessary to have all of them weighted to evaluate the question of reasonableness.

Questioning also the power categories in which stations were placed, Mr. Caldwell recalled that in testimony at other hearings Mr. Sutton had pointed out that many regional stations in good markets have higher income than clear channel stations in less desirable markets.

Alluding to the analysis of tangible property investment and depreciation, Mr Caldwell asked why the network-managed and operated stations took greater depreciation than others, and asked if this in effect did not mean that they are making more money than shown. Mr. Sutton agreed that it would have a bearing on the financial showing of these stations.

Other Classes of Station Ownership Ignored

Asked by Mr. Caldwell whether the Commission had made any studies of station operation by department stores, automobile distributors, insurance companies and other lines of business, to ascertain the effect upon revenues of the stations, Mr. Sutton replied affirmatively, but said there were no well-defined groups and they were relatively small in number in each category. Generally, he said, these other business had no direct bearing on time sales, but Chairman Fly said he did not "quite savvy" this since radio set manufacturers, for example, could derive benefits not only in sale of time but in receivers.

Mr. Caldwell argued that there was nothing in the exhibits to show that newspaper stations have not spent as much money in developing the medium, and that, based on the tables, it could not be ascertained whether they have sold less time or incurred more program expense.

Commissioner Craven questioned the overall value of the tables in

Main Attraction!

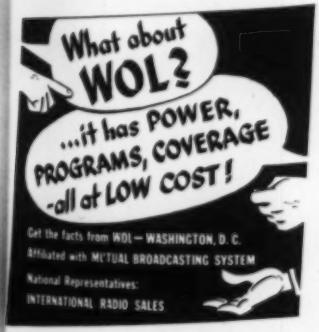
Louie the lifeguard hasn't a thing on WDBJ! Since we took some muscle-building exercises and upped our night power to 5,000 watts, WDBJ is more than ever the main attraction among radio listeners in the rich, responsive Roanoke-Southwest Virginia market. That's *doubly* important to you who have something to sell in this neck of the woods—because our *rates* haven't been upped one penny! And listen—the people who live in our *primary area alone* account for 25.7% of *all* retail sales in the entire state of Virginia! Are you getting your share?

WDBJ ROANOKE, VIRGINIA

FREE & PETERS, INC. Exclusive National Representatives

Owned and Operated by the TIMES-WORLD CORP.

CBS Affiliate—5000 Watts Full Time—960 Kc.


What about WOL?
...it has POWER, PROGRAMS, COVERAGE -all at LOW COST!
Get the facts from WOL— WASHINGTON, D. C.
Affiliated with MUTUAL BROADCASTING SYSTEM
National Representatives:
INTERNATIONAL RADIO SALES

CLARK
for
QUALITY
in
ELECTRICAL
TRANSCRIPTION
PROCESSING

Today, as since the earliest days of radio, the name CLARK on processed recordings is a symbol of sterling workmanship and quality materials. And today practically every important transcription producer is a CLARK client. So, today, we suggest that if you are interested in quality transcription processing you investigate CLARK.

Clark
Phonograph Record Co.
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216 High St. Humboldt 2-0880
Chicago, Illinois
221 N. La Salle St. Central 5275

the light of these other questions. He questioned the Commission's ability to arrive at definite conclusions, based on testimony of that character.

Attorney Lloyd, however, interposed that the exhibits tend to show how newspaper stations share in the general business of the industry. It is designed to give an overall picture and constitute a matter for the Commission's study, he said.

L. D. H. Weld Discusses Five Major Media

L. D. H. Weld, director of research of McCannErickson for the last 15 years, who compiles the *Printers Ink* advertising index of the five major media, testified in connection with exhibits introduced the preceding week. He was unable to appear at that time because of illness.

He said he has prepared indexes on newspaper, magazine, radio, outdoor and farm paper advertising, but that he has discontinued the radio advertising index because the major networks have discontinued making available their figures on a monthly basis. He testified primarily in connection with an exhibit showing estimated advertising expenditures in these five media from 1928 through 1940. These showed newspapers in first place in 1940, with $545,000,000; radio second, with $200,000,000; magazines third, with $160,000,000; outdoor fourth, with $50,000,000; and farm papers with $15,000,000—an aggregate of $970,000,000.

Explaining that he used his own method of estimating these expenditures, he said, in reply to FCC Counsel Lloyd, that the figures on radio were based on those produced by BROADCASTING Magazine. He asserted these checked very closely with the FCC financial statistics

Discussing current advertising trends, Dr. Weld said that newspapers have suffered almost as much as national magazines in advertising losses since the 1929 depression, but that magazines have been hardest hit. This is particularly true of the monthlies, though weeklies are increasing.

Total Advertising Down But Radio Goes Up

Advertising volume generally has not increased over the years, but radio has shown meteoric development, Dr. Weld declared. In 1929 the total advertising expenditure for the five major media was $1,195,000,000, of which newspapers procured $800,000,000; magazines $240,000,000, and radio only $40,000,000. In 1940, total expenditures were $970,000,000, of which newspapers acquired $545,000,000; magazines $160,000,000, radio $200,000,000.

The failure of advertising to recover completely from the last major depression has resulted in keener competition, Dr. Weld said. Advertising expenditures have dropped from $18 per capita to $12 per capita, he declared.

Chairman Fly interposed that with national advertisers the question is whether or not the money can be spared, observing that advertising might be viewed as "in the luxury class". Dr. Weld, however, said that advertising appears to string along almost simultaneously with business trends.

Effect of the War On Advertising

Replying to a question by Chairman Fly on the effect of war conditions on advertising, Dr. Weld said that curtailment of production will have a depressing effect on the one hand, but that the "much higher buying power" will result in increased appropriations. Moreover he said that with the new excess profits taxes he can't help but feel that it will have a "subconscious effect and that people will spend more money in advertising". The forces thus work in both directions on advertising, he said, declaring that at present there is a small increase.

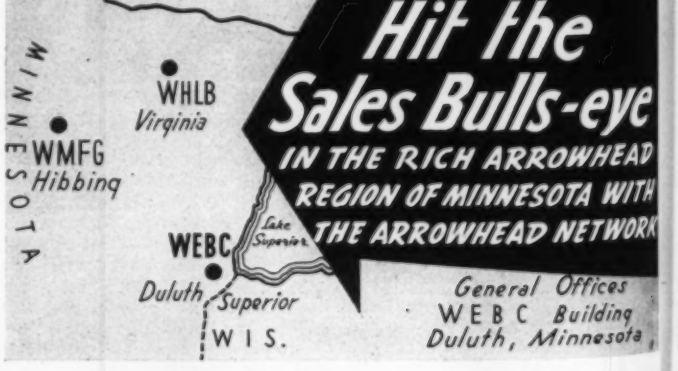
The experience during the last war, with the upsurge of excess profits taxes, Dr. Weld recalled, resulted in advertising going into a "rampage" and increasing very rapidly.

Newspaper - Radio Committee counsel, Mr. Kaye, questioned Dr. Weld on sources of his revenue figures Dr. Weld said that in all cases save the radio figures, taken from BROADCASTING, because they "checked closely" with those of the FCC, he used his own indices plus data procured from what he described as such responsible sources as Publishers' Information Bureau, Assn. of Outdoor Advertisers and farm paper sources. He explained that he had projected most of the figures "backward" from official census figures.

Mr. Kaye observed that the figures then should be accepted subject to the error "that is inherent in projecting figures backward". Mr. Caldwell asked Dr.

REACTIONS of an Army Air Corps cadet as he takes advanced flying instructions were described by Announcer Jack Mitchell for KTSA, San Antonio, listeners. Mitchell, climbing into plane, told how cadets at Randolph Field are put through their paces, describing his own reactions to power diving and looping. Captain Robenett of Kelly Field, Texas was at the controls during the flight, which was made in a formation of six other advanced training planes. It was part of the KTSA series *What Goes On in Your Army.*

WFBG
ALTOONA, PA.
• NBC RED
• 250 WATTS
• FULL TIME OPERATION
• RAILROAD SHOPS ON FULL TIME SCHEDULE
WFBG provides the only full coverage of the Altoona trading area.



Weld if he had any reason to think that the figures would be about the same if newspapers owned no radio stations and all other things were equal. The expert said, however, he had no information whatever in that regard.

No Data on Joint Newspaper-Radio Rates

When Commisioner Craven inquired whether advertising agencies asked for combination rates from newspapers and radio stations jointly operated, Dr. Weld said that he had no evidence of this and had never made any investigation of it. In an effort to straighten out the record, Chairman Fly asked if that were the fact whether it would "influence" agencies to use newspaper stations Dr. Weld again commented that he had no information whatever on this.

Obviously piqued over the position taken by the Newspaper-Radio Committee counsel, in asking that testimony and exhibits be not admitted until the sources could be qualified, Mr. Lloyd asked why the committee did not pursue its examination so that exhibits could be entered. The point was dropped there, however.

Charleston Situation Draws Opposition Fire

The second day of the second week's hearing was devoted almost entirely to the situation obtaining in Charleston, S. C., where the two jointly-owned newspapers own one of the two stations. John M. Rivers, president of WCSC, the independent station affiliated with CBS, had vigorously protested the refusal of the *Charleston News & Courier* and the *Post*, which own WTMA, opposition NBC-Red outlet, to publish WCSC programs or news. He was the principal witness.

Preceding Mr. Rivers' appearance, State Senator Cotesworth T. Means, under cross-examination by Assistant General Counsel Thomas E. Harris, identified and read into the record a resolution he had introduced last May and which had been adopted by the South Carolina Senate, attacking the purported newspaper-radio monopoly in the city

The resolution asked the Attorney General for an opinion as to the applicability of the present laws of the State prohibiting "trusts, monopolies and unfair competition" to combinations of newspapers, news services and radio stations "which, in fact, tend to lessen full and free competition in the dissemination of news to the public". The resolution requested the Attorney General to recommend as to the necessity of more specific legislation "to attack this evil".

Senator Means explained that he introduced the resolution without any knowledge of the FCC's newspaper-divorcement proceedings, because he wanted to "rectify the newspaper situation in Charleston by legislation". He said the Attorney General had not yet rendered his formal opinion but probably would do so shortly.

Charges Papers 'Control' All News Services

Declaring he thought the anti-trust laws should be applicable to a product "so precious as freedom of speech and of the press", Senator Means said that if the Attorney General holds there is jurisdiction, then he contemplated introduction of legislation.

Senator Means charged that the *News & Courier* and *Post*, since their amalgamation 10 years ago and since their acquisition of WTMA two years ago, "control all the news services" in Charleston. He pointed to the "inherent danger" in such a situation.

He revealed that he had run radio station WCSC, the competitor, for a brief period while the owner was away and that his son is now assistant program director of that station.

Under cross-examination by Newspaper-Radio Committee Chief Counsel Thomas D. Thacher, Senator Means said that while he was not in sympathy with the editorial policy of the *News & Courier*, the *Post*, despite the same ownership, took a more favorable editorial position, in his judgment. He agreed that a news story published in the *News & Courier* on a speech he had delivered in the Senate, relating to his attack on the newspaper-radio "monopoly" was a "fair account" of what he had said. He agreed, also, that under any doctrine of freedom of the press, the paper showed a punctilious regard for these principles.

Senator Means admitted that 75% of his opposition to the Charleston situation was because of the editorial policy of the *News & Courier*. He described the paper as anti-Administration and anti-New Deal.

Nothing Personal; Fears Cancelation

Ben S. Fisher, counsel for WTMA and the newspapers, exacted from the witness the statement that there was nothing "personal" in his attitude toward the *News & Courier*. He said he had never seen any of the editorial policies of that newspaper reflected on the radio station.

Assistant General Counsel Harris asked if it were not a fact that he fearer the concentration of control as contrary to the public interest, and Senator Means replied affirmatively. But Judge Thacher pointed out that the cross-examination had revealed that he was opposed to the combination of newspapers, rather than to any radio aspect.

Mr. Rivers, former banker, explained he had been with the station since 1938 and now has pending before the Commission an application for transfer of ownership from Liberty Life Insurance Co. to himself. He related how the newspapers consistently had refused to publish the WCSC program logs or program news on an exchange basis and that when his programs were published in the newspapers, it was on the basis of regular card rates.

Mr. Rivers had pointed out that he had made a survey of some 50 radio stations to learn of their relations with local newspapers and found that his situation was a "unique one" in that mention of the station was virtually banned up until about six months ago. The newspapers still do not publish WCSC programs as a news feature, he related.

WTMA Gets Full Pages, WCSC Is Ignored

A dozen exhibits were placed in the record by Mr. Harris with Mr. Rivers on the stand, all tending to show the manner in which the newspapers played up WTMA in full-page spreads and totally ignored WCSC.

As early as 1939, J. C. Saumenig, then WCSC manager, had written Robert S. Manigault, president of the newspapers, suggesting that the newspaper exchange program listing space for tie-in announcements on the station following each of its four UP news periods, it developed. Mr. Manigault, however, according to these exhibits, said he would like to cooperate but that he had always been opposed to exchange advertising and would not care to vary that policy.

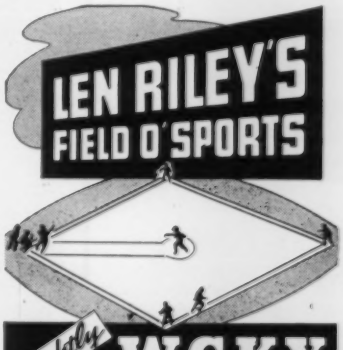
On April 3, 1941, Mr. Rivers wrote Mark Ethridge, vice-president and general manager of the *Courier Journal & Times*, who then headed the Newspaper-Radio Committee in its formative stages. He protested the refusal of the Charleston newspapers to carry his programs as news, but declared he did not expect display advertising space to be given him—that he was ready to pay for that. Mr. Rivers wrote Mr. Ethridge that he expected to appear at the hearing in Washington and that it is "one of the most disagreeable things I have had to contemplate because I do not believe a business man should use Government to get at each other". He added at the same time he did not believe that private interests, "possessing a monopoly, should be allowed to exploit that monopoly without interference, particularly when the public interest is not served by the exploitation."

Mr. Rivers added that he expected to testify that in his opinion newspaper ownership of stations is not in itself bad, but that "narrow-minded newspaper owner-

Druggists' Radios

OUT OF 609 retail druggists queried, 607 or 99.8% reported radios in their homes, according to a survey by *Drug Topics*, which has allowed publication of the figures by E. P. H. James, NBC-Blue sales promotion manager. Asked if they had radios in their stores, 498 out of the 609 druggists interviewed (81%) said that they had.

"No, boss, we don't dare fire her. When I asked her for the folder on WFDF Flint Michigan, she instantly pulled it out of 'S'."



WFMJ

Youngstown's Favorite Station

A Hooper-Holmes survey shows that WFMJ has more listeners than any other station heard in the Youngstown district.

WRNL

ALWAYS RINGS THE

BELL

IN RICHMOND, VIRGINIA

NBC BLUE • 1000 WATTS

KINY
"The Friendly Voice of the Capital"
"Hey Fellows!"
KINY
has been authorized to increase to 5000 watts. It'll be Alaska's first 5000 Watt station.
Executive Offices
Am. Bldg., Seattle, Wash.
1000 WATTS · 5000 WATTS UNDER CONST.
Juneau·Alaska
JOSEPH HERSHEY McGILLVRA
NATIONAL REPRESENTATIVES

for
INTENSIVE COVERAGE
of the
SOUTH'S 7th CITY
among the 100,000 or more group for per capita
effective buying income
use
KTBS
SHREVEPORT, LA.
1000 WATTS • NBC
The Branham Co. — Representatives

"THE WORLD'S BEST COVERAGE
U.P.
OF THE WORLD'S BIGGEST NEWS"

WRVA COVERS
RICHMOND
AND NORFOLK
IN VIRGINIA!
50,000 WATTS
DAY AND NIGHT
COLUMBIA AND MUTUAL NETWORKS
PAUL H. RAYMER CO. NATIONAL REPRESENTATIVE

ship is definitely against the public interest." He urged Mr. Ethridge to prevail upon stations with less vision that an internal cleanup might stop what might turn out to be a difficult thing. He contended that the combination in Charleston as now operated "is a threat to the continuance of my business," adding that publication of the news would remove that threat or at least make conditions nothing more than a normal business risk. He ventured that most independent operators "feel the same way".

Ethridge Thinks Papers 'Do Selves Injustice'

Mr. Ethridge replied April 9 that he did not know the Charleston situation well enough to have a detailed discussion about it, but that from what Mr. Rivers said he thought the newspapers "do themselves an injustice". He explained that in Louisville his newspaper published news about radio as if it had no connection with a radio station. He concluded "I find nothing in your letter to which I do not or have not subscribed".

Other exchanges of correspondence, citing the Charleston situation, were introduced and explained by Mr. Rivers. Under cross-examination, there was also placed in the record an article published in the *News & Courier* quoting a speech by Mr. Rivers, in which he cited the radio regulatory situation and criticized the FCC's regulatory forays.

Mr. Rivers said that the policy of the newspapers before they acquired WTMA was to ignore radio entirely. When they acquired the station in October, 1939, they began playing up WTMA but virtually ignored WCSC. During the last six months, he said, the station had changed its attitude and had given it somewhat more publicity.

Mr. Rivers explained that he had been approached by the newspapers to purchase WCSC, but that these negotiations broke down on the basis of price and resulted in the decision of Liberty Life to sell the station to himself.

Questioned by Commissioner Craven, Mr. Rivers said that prior to the acquisition of WTMA by the newspaper he considered them competitors.

WCSC Shows Profit, Fairly Constant Net

Mr. Rivers identified an exchange of telegrams with E. C. Woolley, of NBC's station relations department, in which the network representative asked for tear sheets of publicity in local newspapers on a particular program. Mr. Rivers had wired back that the only thing the newspapers would publish about WCSC "would be my obituary". Afterward, under cross-examination, Mr. Rivers said that if he had known the telegram would have been introduced in evidence, he never would have written it.

Mr. Rivers admitted that WCSC is operating at a profit, declaring that the net of the station has been fairly constant. He admitted, too, that the newspaper's activity in radio had made the community more radio-conscious and had helped the overall picture.

Disclaiming any animosity against the newspapers, Mr. Rivers, under cross-examination by Judge Thacher, said that he had tried simply to find a solution for what he regarded as an inequitable situation and that he really was testifying unwillingly Officials of the newspapers were among his best friends, he said.

He did not attack WTMA, declaring that he regarded it as a "good operation". Mr. Rivers agreed with Judge Thacher that the situation boiled down to one that he regarded as unfair competition. He admitted, under further questioning, that radio in Charleston has vastly improved since the newspapers took over WTMA and that it had contributed to listener interest, just as certain promotional activities of WCSC had aided WTMA audience building.

Sales Up 22% in Year, Net Profit Rises 858%

Mr. Rivers did not agree that his net income had greatly increased since the newspapers acquired WTMA. Judge Thacher produced for the record financial statements of WCSC from the Commission's files, showing that in 1939 it had sales of $67,153.34, with a net income of $1,303.66. In 1940 the figures were gross sales of $81,681.43, with net income of $12,492.79. He said these figures showed a 22% increase in sales during the one-year period and an 858% increase in net profit.

"Whether this competition was unfair or not, it actually was not destructive, was it?", asked Judge Thacher. The witness concurred.

Taking up the cross-examination of Mr. Rivers, Mr. Fisher asked first about the availability of news services. While WCSC subscribes only to UP, Mr. Rivers agreed that three other press associations were available, although he had not had occasion to negotiate for them.

When Mr. Fisher sought to discuss the question of publication of WCSC programs in the newspapers, Chairman Fly interposed to ask whether newspapers usually charge for program listings. Mr. Rivers said it was his understanding that they did not.

Yachter's Video

NOT just wishful thinking but entirely practical is television afloat on small pleasure boats as demonstrated by Allen B. DuMont, pioneer television engineer and manufacturer, who has installed a receiver in the main cabin of his 33-foot cruiser, *Hurricane II*. Using a dipole antenna on the ship's mast, television stations have been picked up at a distance of 50 miles.

Mr. Rivers estimated he had spent approximately $11,000 a year for station promotion in the community, of which $2,000 was cash and the balance in exchange advertising. He said he had sought to have Condon's Department Store purchase space in the newspapers for publication of his programs, but that this had not worked out.

Price Proposed For Newspaper Purchase

Mr. Fisher inquired whether the station had gone to the newspapers, or vice versa, in connection with conversations looking toward sale of WCSC. It was Mr. Rivers' recollection that the newspapers had gone to him and that there had been several alternative plans, one of which contemplated a $100,000 purchase price, with $60,000 to be paid by the newspapers and $40,000 by Mr. Rivers for the minority interest. When these conversations terminated, Mr Rivers said he had arranged for acquisition of the station himself.

He admitted that he had told the newspapers that if they acquired the regional (WCSC) as against the local (WTMA), competition would be practically nonexistent insofar as national spot business is concerned.

Two officials of the newspapers and WTMA occupied the stand after David Dibeler, Commission attorney, identified the ownership setup of the station as shown in FCC records.

Letter Refers to Station As Dept. of Newspaper

Commission Counsel Harris asked H. T. McGee, treasurer and director of the Atlantic Coast Broadcasting Co., licensee of the station as well as business manager of the *Post* and *News-Courier*, to identify a letter written by William D. Workman Jr., former manager of the station. The letter, posted on a bulletin board, said in part:

"WTMA is another department of the newspapers, it is not a separate business, and as such will be conducted in accordance with policies of the papers. Everything other than routine should be discussed with all who might have some knowledge of the subject before action. Questions pertaining to advertising, especially national spot advertising, must be submitted to the advertising de-

Dominant
IN THE 7th RETAIL MARKET
KSTP
MINNEAPOLIS • SAINT PAUL
NIGHTTIME SIGNAL FROM MINNEAPOLIS TO THE WEST EQUIVALENT TO
133,500 WATTS
NBC BASIC RED NETWORK
50,000 Watts
Clear Channel

partment of the newspapers before definite answer is given. All suggestions for special broadcasts must be carefully discussed before being turned down. All news comes under the direction of the city editors of the newspaper."

Mr. McGee, said that he had never seen the letter and knew nothing about it being written until a Commission investigator had shown it to him. The investigator, Raymond Lewis, had obtained the letter in Charleston and identified it from the stand before Mr. McGee was called. Asked to comment on the letter, Mr. McGee said it would be hard for him to comment on it but he would say the first statement was incorrect.

Insists Station Is Separately Operated

"Mr. Workman", he said, "had a right to his own opinion even if incorrect." Mr. McGee said that the station is a separate entity and is operated as such, pointing out that the studios and transmitter are three miles from Charleston although a small news studio is maintained in the newspaper offices for special broadcasts because of its accessibility and for news programs.

Mr. Harris introduced a number of exhibits, including letters and photostatic copies of the newspapers, to show, he said, that the policies of the station and the newspapers were controlled by the same officers. The Commission counsel stated that the exhibits proved that the ownership of the station by the newspaper gave the station an advantage through free publicity. He cited various advertisements placed by the station, claiming 25,000 lines of publicity a month.

FCC Counsel Clashes With Witness

The witness and Mr. Harris clashed on this point when the young Commission attorney attempted to get Mr. McGee to say that a number of large advertisements "plugging" various aspects of the station were typical of the amount of space the station received. Mr. McGee said that he wouldn't say they were average; in fact, he said, it would be difficult to determine what is average. "What you have done, Mr. Harris," Mr. McGee said, "is to take one group of advertisements and say that they were run regularly. That's unfair."

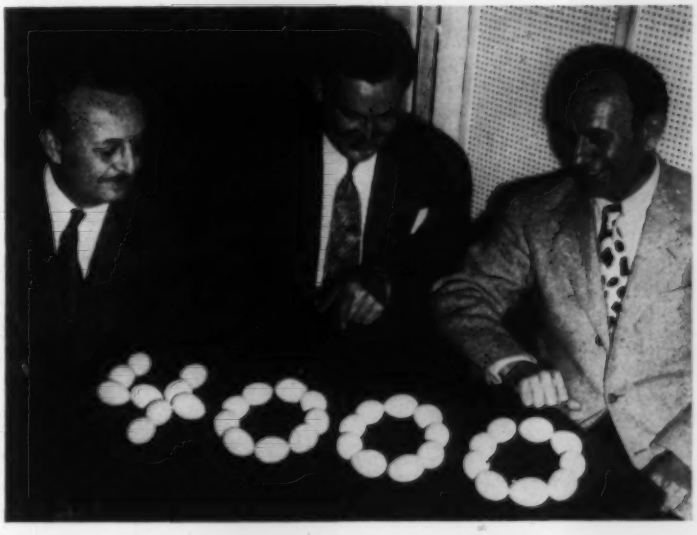
"Would you say they were typical?" Harris asked.

"What do you mean by typical?", Mr. McGee queried.

"You know perfectly well what I mean", Mr. Harris said angrily.

"All I can do is answer the question to the best of my ability, if you'll let me", Mr. McGee retorted.

Following this exchange, Ben Fisher, attorney for the station, and Judge Thacher both objected to the method of questioning employed by Mr. Harris. Mr. Fisher pointing out that the station had submitted complete files and a fair average could be derived by a reading of the file. Here Chairman Fly interspersed that no one is seeking a specific average. Mr. Harris said, "We are trying to get a true picture"—and, turning to Judge Thacher, added, "And if you think you have it, you submit it".



THREE DOZEN EGGS are arranged by (l to r) A. B. Ulrich, director of NBC-Blue *National Farm & Home Hour;* Everett Mitchell, program announcer; and Walter Blaufuss, musical director, to indicate that the *Farm & Home Hour* broadcasts its 4,000th program July 28. On that special program, "down to earth" interviews were broadcast from a garden on a Georgia farm, a Colorado ranch, a poultry farm in California, a Pennsylvania dairy farm, a North Dakota wheat field, and the Indiana farm of Claude R. Wickard, Secretary of Agriculture.

Space Traded For Time on Air

At this point Judge Thacher complained that the Newspaper-Radio counsel table was not getting copies of the exhibits and Mr. Harris shot back, "I'd like to see a copy of each of your exhibits, too."

"As I told you this morning", Judge Thacher replied, "you'll have a copy of each one".

Chairman Fly evinced interest in the method of trading space in the newspapers for time on the station. He asked if the station paid for it, and Mr. McGee explained that it was on a purely exchange basis, the station getting free space and the newspaper free mentions on the air as well as some special programs. In answering the chairman, Mr. McGee said the newspapers get "a pretty fair amount of time".

Mr. Harris introduced a station telegram from George P. Hollingbery Co., representative of WTMA, to Robert E. Bradham, now acting manager, which said that Postal Telegraph was contemplating buying time on several stations which placed most of their telegraphic business with Postal.

In addition, the telegram said that the station would be credited with any firms that it could swing to Postal from Western Union. In reply, Mr. Bradham wrote that "there are several business men which will certainly switch some of their business to Postal at our request. I don't think these firms would like you to use their names, so all I can tell you in that connection is to assure the Postal people that the station will do everything possible to have as much business switched as they can." The letter added that the newspapers and radio station would switch their business to Postal wherever possible, but pointed out that this would be impossible in many instances with the newspaper because of a lack of Postal offices in small towns.

Letters on Negotiations With Wire Services

Mr. Harris remarked that "this shows an additional advantage to a station of your type". Mr. McGee disagreed, saying that it was impossible for the newspapers to shift any of their business because Postal had no offices in the many small towns where the newspapers had correspondents.

The questioning here shifted to the wire services subscribed to by WTMA. Mr. McGee said that because of the competitive situation, the station bought the INS wire when it first went on the air but later switched to AP. Several letters between Mr. McGee and Reid Monfort, Associated Press manager at Charlotte, were introduced, showing the progress of negotiations between the press association and the station.

One statement in the letters evoked several questions. It stated that INS had offered the station a lower rate because it was newspaper-owned. In response to questions, Mr. McGee said that he had never received nor requested a lower rate from the AP on the same basis.

After finishing his testimony, Mr. McGee was asked by Commissioner Walker the reason why the newspapers had not given WCSC publicity nor published its program listings. Mr. McGee then traced the history of the relations between WCSC and the newspapers, saying that after several years it was felt that radio was a competing medium and that it should buy space. For the same reason, he said, the newspapers had turned down any trade deal with the station.

A short time ago, Mr. McGee said, this policy was reconsidered and it was decided to accept radio as news. This policy was about to go into effect when Senator Means began his attack on the newspapers and WTMA.

"And as brought out this morning", he concluded, "the attitude of WCSC was wrong. You know people don't like to be forced into things."

Merchandising Advantages Of Newspaper Stations

Second official of the Charleston newspapers and WTMA to be subpoenaed by the Commission was Robert E. Bradham, advertising director and stockholder in the operations. He was cross-examined by Mr. Harris primarily on the merchandising advantages that accrue to stations having newspaper affiliations, both from the standpoint of network operation and in the local field. He introduced a number of exhibits dealing with

WAVE 5000 watts • NBC

for LOUISVILLE—not China!

Ask your Agency to ask the Colonel!

FREE & PETERS, Inc., National Representatives

A BREAKFAST FOOD ADVERTISER says:

"We thought you should know how well we think of the KOA announcements. The month of April was a humdinger... in fact the largest month so far..."

KOA

REPRESENTED NATIONALLY BY SPOT SALES OFFICES

Sales through the air
WING
Dayton, Ohio
5,000 WATTS
Day and Night
NBC RED & BLUE
National Representatives
PAUL RAYMER CO.
buy WING—get WIZE (BONUS STATION)
DAYTON, O. SPRINGFIELD, O.

merchandising and sales aspects, which were identified and explained.

Chairman Fly asked particularly about accounting methods employed in connection with "exchange" advertising in the newspapers and on the station. The witness explained that no established rates were taken into account and that no checks as such were exchanged, but that the books reflected the time used as against space.

Alluding to mention previously made by Mr. Rivers, that the Charleston newspapers carried nothing whatever on a model house promotion directed by WCSC, but that it devoted substantial space to a similar promtion by WTMA, Mr. Harris asked whether this meant that the editors of the paper viewed it as news in one instance and not in the other. Chairman Fly, however, cut short this line of inquiry, pointing out that the exhibits were sufficient evidence.

Shepard Testifies Order Retards FM

FM entered the hearings for the first time, with John Shepard 3d, president of FM Broadcasters Inc., taking the stand. After Philip G. Loucks, general counsel of FM Broadcasters Inc., had introduced a series of exhibits setting forth the history of the organization and its purposes, Mr. Shepard read a statement deprecating the Commission's order as retarding the development of FM.

Mr. Shepard explained that FM Broadcasters comprises 51 memberships held by 44 different persons or organizations. He said a resolution was adopted at a meeting April 2, authorizing his appearance at the newspaper hearings to state the organization's position.

Among the 44 FMBI members are 14 having newspaper affiliations, he said. Of the approximately 110 applications for commercial operation in FM, 38 appear to be newspaper-connected or affiliated.

'Qualified' Applicants Should Have Chance

Pointing to the necessity for rapid development of FM, also espoused by the Commission, Mr. Shepard said that every entrant into the FM field today contributes to its development and is a pioneer in the sense that immediate profits cannot be looked for. Every source of capital is needed to help this development, he asserted. "Every source of nourishment withheld from a new industry is as bad as spending that much capital to halt its growth," Mr. Shepard said. "In addition, the withholding of any capital fails to encourage other capital to enter the field."

"Idle frequencies cannot render a service to the public, nor can they help a new industry to develop. There will be fewer idle frequencies if all people who are qualified under the Communications Act and who are willing to develop these frequencies are allowed to do so. By the term 'qualified' we mean American citizens with the technical and financial ability to develop these frequencies and render a real service to the potential listening public. I say 'potential listening public' because it is only in those areas where service is being rendered that people are buying FM sets to any great extent, and many of these sets are being bought on the faith of the purchaser that there will be adequate service. So long as a listener gets good service, I do not believe he cares whether the licensee has other industrial or business connections as long as he is legally, financially and technically qualified under the law and is giving a good program service."

Latham Asks FM Elimination from Order

An urgent plea that the FCC eliminate reference to FM stations from its newspaper order (No. 79) and make a definite announcement that it will not attempt to issue rules or regulations which will prohibit newspaper interests from owning FM stations was made by John R. Latham, executive vice-president of American Network Inc., in his testimony.

Through Paul D. P. Spearman, chief counsel for American Network, exhibits were placed in the record setting forth the some 30 individuals or corporations who participated in the incorporation of the FM network project, and a chart showing the present status of FM applicants, licensees and permitees in markets deemed essential to establishment of a national FM network.

Mr. Latham explained that 40 markets are covered in the proposed cooperative venture, with the network itself to seek authority to construct and operate the key station in New York.

After tracing the history of American Network Inc., which was incorporated last April, Mr. Latham explained that on the basis of the report he had developed, the organization had decided on the stations themselves becoming owners of Class A voting stock in equal amounts and would acquire Class B or dividend-paying stock in ratio of the value of the particular market to the value of all markets included in the plan.

40 Cities To Be Served by American

It had been decided, he said, that the corporation should properly own and operate the key station carrying its programs and serving the New York City market, thus making a total of 40 cities which the network hopes to have affiliated with it as early as possible.

Of the 23 companies which defrayed the cost of making the original market study and survey, 11 were identified with newspapers, the witness stated. He said the experience has been that newspaper publishers are more interested in supporting an FM network than any other class. Everyone connected with the corporation realizes that any worthwhile FM network project would necessarily be operated at a substantial loss for some time, and he estimated it would be not less than two years.

Because newspapers spend great sums for promotion and building institutional goodwill, they are interested in FM development as a group, he said. Newspapers can justify the heavy investments and the losses which will be entailed in FM pioneering where other businesses would not do so, he said.

FCC Policy Will Delay Development of FM

Because of the reticence of others to enter FM, Mr. Latham said, it is the judgment of his group that if the Commission should refuse to permit FM stations to be operated by individuals or corporations who may be interested in the publishing of newspapers "such a policy will delay the development of FM as a broadcasting system for years, and will probably make impossible the operation of the FM network proposed by our corporation, or the operation of any network while network service and programs to FM stations".

Mr. Latham said that several newspapers among the 11 interested in the network project have not yet applied for authority to construct FM stations because of the uncertainty as to what disposition the Commission will make of the newspaper-divorcement cases. Several of the cities have no other parties than newspaper interests who are interested in going into FM, he said.

"In short, if newspaper interests are forbidden to own or operate FM stations, it appears clear that some of these cities would have no FM stations which could be used as an outlet of the American Network, and the public which a station in such city would otherwise serve would be completely without FM service."

Newspapers Are Hesitant, Along With Others

Mr. Latham said that in Atlanta no applicant has requested an FM

INS
John Shepard III signed the first INS radio contract on May 4, 1935. His Yankee Network has depended on INS exclusively for world news coverage ever since.
INTERNATIONAL NEWS SERVICE

Super Results for a Super Market!
3 OUT OF 4
Baltimore Listeners Daily!
Skeptical? Make us prove it! Write for full details—find out why WCBM gives you . . . "PENNY FOR PENNY COVERAGE BETTER THAN ANY!"
WCBM
BALTIMORE, MARYLAND
Affiliated with MUTUAL
Beginning Oct. 1—NBC BLUE

Showmanship THAT WINS Intermountain Audiences
KDYL
The POPULAR Station
Salt Lake City
National Representative
JOHN BLAIR & CO
NBC RED NETWORK

The Only Positive Coverage of the QUARTER MILLION POPULATION in UPPER MICHIGAN and NORTHERN WISCONSIN
Served by the
LAKE SUPERIOR RADIO GROUP
(not a wire network)
WHDF • WJMS • WATW
Houghton, Mich. • Ironwood, Mich. • Ashland
Group contracts save 25% on three stations and 15% on any stations
National Representatives:
BOGNER and MARTIN
295 Mad. Ave., N.Y. • 540 N. Mich. Ave., Chi.

station, but the *Atlanta Constitution* has evidenced its interest in doing so. It has not filed for a construction permit because of Order 79, he said.

Mr. Latham summarized that the Commission's order not only had caused newspapers to become hesitant in applying for FM, but that many who are not interested in the publishing business are just as hesitant in making substantial investments because they do not believe the network can or will succeed unless newspapers are permitted to operate in several of the essential markets.

For some time the American Network has been doing everything possible to set up and start operating its network, but so long as the Commission's order stands, it is questionable whether enough interested parties will make the necessary investment and agree to underwrite its operating losses, Mr. Latham declared. "We believe that FM broadcasting in general will be greatly retarded unless network programs are made available for broadcasting by individual FM stations."

He concluded: "The American Network Inc. believes that if the Commission would eliminate reference to FM stations from its Order No. 79 and make a definite announcement that it will not attempt to make rules and regulations which would have the effect of preventing newspapers or newspaper interests from owning and operating FM stations, it would be possible to go ahead immediately and complete the organization and financing of the company, and in short order make high quality programs available to the FM stations affiliated with the network. Otherwise, the future successful development of FM broadcasting in general and of FM network service in particular is questionable, and all, in our judgment, to the great detriment of the public."

Subpoenas Ordered For Friendly, Stahlman

The final day's sesion Friday opened with fireworks aplenty. When the name of James G. Stahlman, publisher of the *Nashville Banner* and former president of ANPA, was called, having been subpoened to testify, Elisha Hanson, ANPA general counsel, responded by saying he had advised his client not to appear, questioning the FCC's jurisdiction on all counts. Chairman Fly asked whether the intention was to attack the subpoena or to question jurisdiction. Mr. Hanson said he did not propose to go into detail, beyond the reasons cited in his original petition and motion filed at the outset of the hearing.

Thereupon Chairman Fly directed the Commission's law department to "proceed forthwith to enforce its subpoenas". The subpoena, together with purported proof of service, then was placed in the record.

HILLBILLIES, a quarter-hour of them daily are all that Terry Carpenter Oil Co. has used since opening its first service in Denver two years ago. To the KLZ program Terry traces a 2,500,000-gallon sales record last year. Terry Carpenter (center) opened his second station last week and at the same time signed a renewal for his third year on KLZ. Roy Koerber (left) of Betts-Koerber Agency, hands the signed contract to James McEldowney, KLZ sales representative.

The same procedure was followed when the name of Alfred S. Friendly, business manager of the *New York Sun* and also an ex-ANPA official, was called. Mr. Hanson entered a general objection against the entire procedure.

Two others—Arthur Robb, editor of *Editor & Publisher*, and William A. Thompson, director of the ANPA Bureau of Advertising—had not been subpoened to appear but had been asked to testify or produce records. Because no formal subpoenas had been served, the proceedings entered in the cases of the two other Hanson clients were were not followed.

Inquiry Turns to ANPA Radio Records

A searching inquiry into the background of ANPA radio committee activities, which started originally with steadfast opposition to radio as a news medium, was launched by FCC Counsel David Lloyd. He explained that if Messrs. Stahlman and Friendly had appeared, he would have called upon them to identify certain exhibits, but that their presence was not essential in this regard.

The purport of the extensive minutes, memoranda and committee reports, dealing with ANPA radio activities dating back to 1932, was in the direction initially of banning radio program listings as editorial material and requiring stations and networks to buy the space. Then it threatened through the formation of the Press Radio Bureau in 1934, whereby networks and stations were given a skeleton combined press association report processed in New York for only two broadcasts daily, which were designed not to interfere with the freshness of news published in newspapers.

Before the introduction of this data, Mr. Hanson reiterated his contention that the Commission is without power to investigate the newspaper publishing industry under the Communications Act. Chairman Fly, however, ruled that the data would be admitted in evidence, subject to motions to strike if its validity were properly contested. Throughout this exchange, Mr. Hanson entered his exceptions.

Aylesworth Discusses Advent of Radio News

A surprise witness was M. H. Aylesworth, first president of NBC, who described his present occupation as "specialized practice of law and Government activity". He is chairman of the radio division of the Rockefeller Committee, working on a dollar-a-year basis.

Making his first appearance before the FCC in many years, Mr. Aylesworth was asked to testify in connection with the formation of the Press Radio Bureau and the advent of news on the air.

Recognized as an expert witness, Mr. Alyesworth spent what appeared to be a pleasant hour on the stand, and delved deeply into his broad radio-news background, which officially terminated in 1936, when he resigned as NBC president.

Mr. Aylesworth said he had always been a believer in news as a public service that had a proper place on the air. Because of the situation in the newspaper industry, however, with newspapers owning stations happy but those not owning stations very fearful of radio competition, he said the process of necessity was gradual. Personally, he said, he never believed that newspapers and radio were in direct competition for advertising, but that the advertising volume has increased overall, with both permitted to live.

Sees Radio News Aiding Circulation

He said he not only felt that news had a place on the air but that use of radio would increase newspaper circulation. He alluded to his now famous debate at Princeton in 1931, in which he described radio as journalism and the function of a network as not unlike that of a press association.

Originally, the thought was that news would never be sold to radio, but he recalled that finally UP and INS decided to sell news and the field became more active. AP, he said, took longer to enter the field because it was a mutual organization. Now, he pointed out, all of the press associations sell news for sponsorship.

Asked to identify a series of exhibits having to do with actions of ANPA, all during the bitter radio-press fight, Mr. Aylesworth said his memory was pretty good but that he was not certain he had ever seen certain of the documents. Responding to Judge Thacher, Mr. Aylesworth said that he felt his prophecies on radio news broadcasting had "come true."

Barrett Traces Press Radio Bureau

The whole history of the Press Radio Bureau origin was traced by Commission Counsel Lloyd, with James W. Barrett, first editor-manager of the bureau, on the stand. The ex-city editor of the *New York World* described himself simply as a "journalist". Mr. Barrett recounted the trials and tribulatons of Press Radio Bureau, which finally was dissolved when the networks began to set up their own news services. Threaded throughout the minutes, memoranda, and other Press Radio data, however, were statements about the necessity for squelching so-called "outlaw" radio-press units, which cropped up here and there because of the unavailability of regular press association service.

Some of the biggest names in journalism, such as William Randolph Hearst; Joseph V. Connolly, head of INS; Roy W. Howard, head of Scripps-Howard; Gardner Cowles Jr. and John Cowles, of the Des Moines Register & Tribune; and Hugh Bailey, president of United Press, cropped into the memos, selected from press association, newspaper station and other files by FCC investigators.

Mr. Barrett testified there were repeated discussions about so-called "outlaw" organizations which developed, and the constant urging that they be "squashed" or knocked out, lest they become competitors. He identified exhibits showing that the Press Radio Bureau was financed at the outset by NBC and CBS, but with service sold to other stations on what amounted to a traffic-cost basis.

Mr. Lloyd read excerpts from minutes of the meeting, apparently

(*Continued on page 54*)

ACTIONS OF THE FEDERAL COMMUNICATIONS COMMISSION

JULY 26 TO AUGUST 1, INCLUSIVE

Decisions . . .

JULY 30

NEW, WFAM Inc., LaFayette, Ind. — Granted CP new station 1230 kc 100 w unl. to use old WFAM call letters.

NEW, Howard H. Wilson, Oshkosh, Wis., —Granted CP new station 1490 kc 250 w unl.

NEW, Trent Broadcasting Corp., Trenton, N. J.—Granted CP new station, conditioned on interference precautions, 920 kc 1 kw directional unl.

NEW, Board of Education, City of Chicago, Chicago — Granted CP new noncommercial educational FM station 42.5 mc 1 kw unl.

MISCELLANEOUS—**KUTA, Salt Lake City, Utah**, granted modific. CP increase to 5 kw D change equipment and move transmitter; **WAGA, Atlanta**, granted CP change 590 kc increase to 5 kw unl. directional, install new equipment move transmitter; **KVOD, Denver**, granted CP increase to 5 kw; **KMYR, Denver**, granted modific. license to 250 w unl.; **WGES, Chicago**, granted modific. license to unl. 1390 kc 500 w N 1 kw local sunset (Sundays) CP 5 kw unl.; **KTKC, Visalia, Cal.**, granted CP change to 940 kc increase to 5 kw unl., install new transmitter, grant if applicant remedies blanketing complaints; **KWAL, Wallace, Ida.**, granted assignment of license to Silver Broadcasting Co.; **KGFI, Brownsville, Tex.**, granted renewal regular license to 12-1-41.

DESIGNATED FOR HEARING—**NEW, Cuyahoga Valley Broadcasting Co., Cleveland**, CP new station 1300 kc 1 kw D; **NEW, Tidewater Broadcasting Co., Norfolk, Va.**, CP new station 1490 kc 250 w unl.; **NEW, Norfolk County Broadcasting Co., Norfolk, Va.**, CP new station 1490 kc 250 unl.; **NEW, Portsmouth Radio Corp., Portsmouth, Va.**, CP new station 1490 kc 250 w unl. (application to be heard jointly with preceding two applications); **NEW, Seaboard Broadcasting Corp., Tampa, Fla.**, CP new station 1590 kc 1 kw unl.; **WTNJ, Trenton, N. J.**, modification of license for unl. time (consolidated with applications of WDAS, WCAM and WCAP).

MISCELLANEOUS — **NEW, Burlington Broadcasting Co., Burlington, N. C.**, CP new station placed in pending file under Order 79; **WDAS, Philadelphia, Pa.**, denied petition to reconsider and grant CP for 1260 kc increase to 5 kw D 1 kw N; **WENY, Elmira, N. Y.**, denied petition to reconsider and grant CP 590 kc 1 kw unl

AUGUST 1

WFTM, Fort Myers, Fla.—Granted CP move transmitters, install new equipment.

WJOB, Hammond, Ind. — Granted CP move transmitter and studios, install new antenna.

MISCELLANEOUS—**NEW, Triple-Cities Broadcasting Co. Inc., Binghamton, N. Y.**, granted petition withdraw application new station; **KGLU, Safford, Ariz.**, granted motion continue hearings to 9-5-41; **NEW, Edward E. Reeder, Seattle**, granted motion amend application 1560 kc.; **WMAQ, Chicago**, granted petition intervene KWK hearing; **WAPI, Birmingham**, granted petition amend application 1070 kc., 50 kw., unl.; **WBT, Charlotte; WBBM, Chicago; KFAB, Lincoln; WJAG, Norfolk**, granted postponement hearing to 10-7-41

Applications . . .

JULY 30

KGNC, Amarillo, Tex.—Amend CP to request 5 kw N 10 kw D, install new 10 kw transmitter, move transmitter.

WHKY, Hickory, N. C.—CP new transmitter, change to 1290 kc. increase to 1 kw N 5 kw D.

NEW, Zenith Radio Corp., Chicago—CP new commercial television station (formerly W9XZV) on Channel No. 1.

NEW, The Journal Co., Milwaukee—CP new commercial television station (formerly W9XMJ) on Channel No. 3.

NEW, Pacific Coast Broadcasting Co., Pasadena, Cal.—CP new station 1110 kc 10 kw directional unl.

Tentative Calendar . . .

NEW, Hawaiian Broadcasting System Ltd., Honolulu, CP new station 1340 kc 250 w unl. (Aug. 4).

KFNF, Shenandoah, Ia., license renewal; **NEW, Triple-Cities Broadcasting Co. Inc., Binghamton, N. Y.**, CP new station 1420 kc 250 w unl. (Aug. 5).

NEW, West Allis Broadcasting Co., West Allis, Wis.—CP 1480 kc 250 w D (Aug. 28 [erroneously l'sted in last issue].

WJPR, Greenville, Miss., CP 1600 kc 1 kw unl. (Sept. 22).

WBT, Charlotte, N. C., CP 1110 kc 50 kw unl. directional N; **KFAB, Lincoln, Neb.**, same; **WBBM, Chicago**, modific. license 770 kc 50 kw unl.; **WJAG, Norfork, Neb.**, CP 770 kc 1 kw D (Oct. 7)

VIDEO ANNIVERSARY

CBS Holds Ceremony for Its Pickup 10 Years Ago

COMMEMORATING the tenth anniversary of the inauguration of its first daily television broadcasting service, CBS on July 21 included a brief anniversary ceremony in its regular Monday evening *Men at Work* telecast on WCBW, New York.

Gilbert Seldes, director of CBS television programs, described the initial telecast of July 21, 1931, when James J. Walker, then Mayor of New York, Ted Husing, George Gershwin, Kate Smith and other artists crowded into a small, dark room to do their stuff on a floor space only two feet square before a battery of photoelectric cells surrounding the small opening through which their faces were televised.

E. K. Cohan, CBS director of engineering, and William Schudt, head of the transcription division of Columbia Recording Corp., CBS subsidiary, were introduced by Mr. Seldes as engineer and program director of the first CBS television program.

Contrasting television then and now, Mr. Seldes pointed out that actors no longer need weird makeup, that television studios today are large, light and air-conditioned and that the images on the receiver are now well defined, but added that this progress there are still many problems to be solved in the broadcasting of sight-and-sound programs.

Champ Fitzpatrick

LEO J. FITZPATRICK, vice-president and general manager of WJR, Detroit, on July 24 was named Champion Radio Executive of Michigan at a Detroit Board of Commerce luncheon. At the same function Jimmie Stevenson, WJR newscaster, received the title of Champion Commentator. Both were awarded tiny gold boxing glove replicas for their watch chains. The awards are made by the board to executives who have done exceptional work in their business fields.

BBB Starts FM Survey

THE National Better Business Bureau is circularizing consumers with a letter asking them to answer the question: "If you were to buy an FM radio, what reception qualities would you expect to obtain from Frequency Modulation broadcasting different from what you have been accustomed to from regular broadcasting?" If the recipient of the letter already owns an FM receiver, he is asked to state what qualities of FM broadcasting influenced him to purchase the set.

Syndicated Video Library Planned

WITH THE ADVENT of commercial television, Photo & Sound Inc. San Francisco transcription firm is laying plans for a syndicated television library service for video stations. Test video programs are now being produced in three-minute units, which can be used by television stations in much the same way as transcription library subjects are used.

A questionnaire was formulated by Melvin Jacobus and sent to a video operators. Regarding Photo & Sound's video library plans, Mr. Jacobus said:

"There appear to be two practical ways at present in which television stations could handle a library service. Both of these involve two 16 mm. projector units for uninterrupted programs. The first method would be to use the subject in their original three-minute units to form a complete program, facing from one projector and camera to another. The second and less practical method, to our thinking is to first combine the short subjects on an editor to make a full fifteen-minute reel.

"Commercial announcements would be made by the studio announcer after the film sound track has been faded out. All in all, I look for a television 'stampede' late this fall if the war does not curtail operations. We are already planning one television show for a prominent Western advertiser."

According to present plans, the first specially made subjects from Photo & Sound will feature updated special events and musical groups. In order to meet all requirements, only non-ASCAP music will be used.

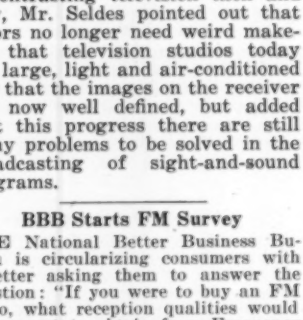
NBC Video Fashions

TELEVISION'S first sponsored fashion shows will start on WNBT, New York, Sept. 4 for a 13-week series of telecasts, Thursdays, 5-5:30 p.m. Contract was signed with NBC by Norman D. Waters & Associates, New York advertising agency handling accounts chiefly in the style merchandise field—fabrics, garments and accessories. Titled *Fashion Discoveries in Television*, the series will show the products of various Waters clients. Special tags will identify at point of sale all merchandise featured on the program and blow-ups and display cards will be furnished to participating manufacturers for distribution to their retail outlets.

Sherman Joins WAIT

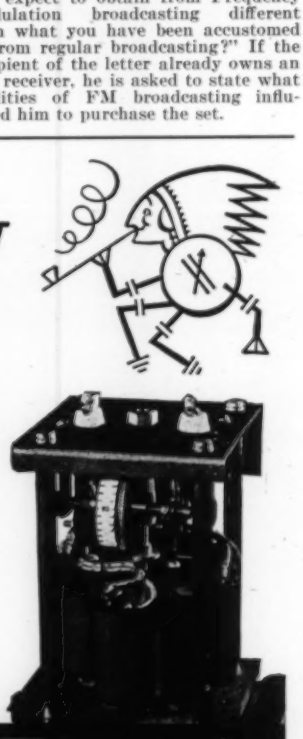
HERBERT P. SHERMAN, formerly sales manager of WJJD, Chicago, has been appointed business manager of WAIT, Chicago (formerly WCBD). Ralph L. Atlass is acting sales manager of WJJD pending the appointment of Mr. Sherman's successor. A veteran of 13 years in station sales, Mr. Sherman has been associated with WJJD for eight years. Previously he was with WBBM, Chicago.

"WORTH ITS WEIGHT IN WAMPUM"
says Chief Engineer



"The Synchronizer—exclusive Western Electric feature—makes heap big contribution to FM," says the Chief. "Never lets carrier frequency stray from narrow trail. With Synchronizer on lookout, no need for all-the-time checking of transmitter circuits or readjusting of frequency controlling elements. Better send scout to Graybar's wigwam for whole story."

Graybar Electric Company, Graybar Building, New York, N. Y.



Western Electric

Network Accounts

All time EDST unless otherwise indicated.

New Business

TRIMOUNT CLOTHING Co., Boston (Clipper-Craft clothes), on Sept. 25 starts *News Here and Abroad* on 63 NBC-Blue stations, Thurs., 9:15-9:30 p.m. (EST). Agency: Emil Mogul Co., N. Y.

MARROW'S Inc., Chicago (Mar-o-oil shampoo), on Sept. 28 starts *George Fisher*, Hollywood reporter, on 80 MBS stations, Sun., 1:15-1:30 p.m. (EST). Agency: Hays MacFarland & Co., Chicago.

PRUDENTIAL LIFE INSURANCE Co. of America, Newark, on Aug. 31 starts *Prudential Family Hour*, Sun. 5-5:45 p.m., on 57 CBS stations. Agency: Benton & Bowles, N. Y.

PAN AMERICAN COFFEE BUREAU, New York, on Oct. 5 starts news comments by Mrs. Roosevelt on 111 NBC-Blue stations, Sundays, 6:45-7 p.m. Agency: Buchanan & Co., New York.

KRAFT CHEESE Co., Chicago (Parkay Margarine), on Aug. 31 starts *The Great Mr. Gildersleeve*, on about 40 NBC-Red and Blue stations, Sun., 6:30-7 p.m. (EDST). Agency: Needham, Louis & Brorby, Chicago.

Renewal Accounts

SHERWIN-WILLIAMS Co., Cleveland (paints), on Oct. 19 resumes for 23 weeks *Metropolitan Auditions of the Air*, Sun. 5-5:30 p.m. on 59 NBC-Red stations. Agency: Warwick & Legler, New York.

STANDARD OIL Co. of California, San Francisco (petroleum products), recently renewed for 52 weeks the *Standard Symphony Hour* and *Standard School Broadcast* over 31 Don Lee-Mutual stations in the Western States. Agency is McCann-Erickson, San Francisco.

Network Changes

GENERAL MILLS, Minneapolis (Gold Medal Flour), on Aug. 4 for two weeks shifts *Hymns of All Churches* on 35 CBS stations from Mon., Tues., Thurs., to Mon. thru Fri., 9:45-10 a.m. Agency: Blackett-Sample-Hummert, Chicago.

MARS Inc., Chicago (candy bars), will shift origination point of *Dr. I. Q.* (on 89 NBC-Red stations, Mon., 9-9:30 p.m.) from Minneapolis to San Francisco for six weeks starting Aug. 1. Agency: Grant Adv., Chicago.

EVERSHARP Inc., Chicago (pens, pencils), on Sept. 28 adds six CBS Florida stations to *Take It or Leave It*, making a total of 66 CBS stations, Sun., 10-10:30 p.m. Agency: Biow Co., N. Y.

JOHNSON & JOHNSON, New Brunswick, N. J. (Band-Aid), on Aug. 19 starts *Voice of Broadway* with Dorothy Kilgallen, on 64 CBS stations, Tues., 6:15-30 p.m. in addition to present series, which continues on 59 CBS stations, Sat., 11:30-11:45 a.m. Agency: Young & Rubicam, New York.

LADY ESTHER Ltd., Evanston, Ill., (cosmetics), on Aug. 4 replaces Guy Lombardo with Freddy Martin's orchestra on 63 CBS stations, Mon., 10-10:30 p.m. (EDST), and shifts origination from New York to Hollywood for four weeks or more. Agency: Pedlar & Ryan Inc., New York.

PACIFIC GREYHOUND, San Francisco (bus transportation), on Aug. 3 switched origination of its *Romance of the Highways* on 30 Don Lee-Mutual stations in the West, Sundays, 10:15-30 a.m. (PST) from San Francisco to Hollywood. Agency: Beaumont & Hohman, San Francisco.

CONTINENTAL BAKING Co., New York (Wonder Bread), on Aug. 14 replaces *Your Marriage Club* with *Maudie's Diary*, on 48 CBS stations, 7:30-8 p. m. (rebroadcast same time PST). Agency: Ted Bates Inc., N. Y.

EMERSON DRUG Co., Baltimore (Bromo-Seltzer), on Aug. 8 replaces *Ben Bernie's Army Game* with *Vox Pop* on 68 NBC-Blue stations, 9-9:30 p.m. Agency: Ruthrauff & Ryan, N. Y.

White Bill Would Revamp FCC

(*Continued from page 18A*)

tribunal, and notwithstanding the fact that no language can be found in the act which confers any right upon the Commission to concern itself with the business phases of broadcasting, and notwithstanding the further fact that the law specifies that broadcastng should not be regarded as a common carrier, "the Commission nevertheless concerned itself more and more with these matters. He said the charge is made that the Commission is attempting to control both the character and source of program material and the contractual or other arrangements made by stations for the acquisition of such material.

"The amendment proposed", Senator White continued, "spells out in black and white what it is believed of Congress, but is its present inwas not only the original intention tention with respect to this subject, in the hope that confusion and controversy can be eliminated."

Remaining sections of the bill would amend drastically the appellate procedure, relating to enforcement and setting aside of orders of the Commission. In minute detail, Senator White defines the manner in which appeals may be taken, stay orders procured, time allowed for rehearing and interventions, and broadening of the litigation base so that appeals can be taken into either the Court of Appeals for the District of Columba or to any circuit court of appeals in which the aggrieved party resides. He said doubt is removed as to which cases are appealable, and 30 days instead of 20 are allowed for appeal.

Of significance is the new requirement that the Commission would be compelled to comply with the mandate or decision of the court upon the basis of the record upon which an appeal is taken unless the court decides otherwise. In recent years, the courts have only been able to remand, and in many cases the Commission has reopened the record for new testimony and decided the cases finally in the same way as it did prior to appeal. The net result was that the litigant lost out anyway.

Meets Newspaper Situation

A final new section of the bill was said by Senator White to be "designed to curb an alleged tendency" by the FCC "to discriminate in a manner not authorized by the statute between applicants for broadcast or other radio facilities and to require as a condition to grants made the doing of certain acts which the Commission has no authority under the statute to require".

This provision strikes at the newspaper ownership situation, in the light of the FCC action under Order 79 calling for an inquiry for policy-making purposes, which has resulted in placing all new newspaper applications in the pending files while others have been granted conditionally, notably in the FM field. Similar conditions have been placed on grants to stations having multiple-ownership complications, where duplicating service is involved.

This new provision specifies: "Penalties, denials, prohibitions and conditions other than those expressly authorized by statute shall not be exacted, enforced or demanded by the Commission in the exercise of its licensing function or otherwise and no sanctions not authorized by statute shall be imposed by the Commission upon any person.

"Rights, privileges, benefits or licenses authorized by law shall not be denied or withheld in whole or in part where adequate right or entitlement thereto is shown. The effective date of the imposition of sanctions or withdrawal of benefits or licenses shall, so far as deemed practicable, be deferred for such reasonable time as will permit the person affected to adjust their affairs to accord with such action or to seek administrative reconsideration or judicial review."

5,000 Watts Day
1,000 Watts Night
WMC
NBC RED NETWORK
MEMPHIS, TENN.
THE Billion Dollar MARKET
Represented Nationally by THE BRANHAM CO.
Owned and Operated by
The COMMERCIAL APPEAL
MEMBER OF SOUTH CENTRAL QUALITY NETWORK
WMC—Memphis WJDX—Jackson, Miss.
KARK—Little Rock WSMB—New Orleans
KWKH-KTBS—Shreveport

WCAR
We've Got
POWER 1000 Streamlined Watts
PROGRAMS Built by a Big Time Production Staff
COVERAGE That Hits Into Widespread Industrial & Rural Markets
LISTENERS With Money to Spend Who Prefer WCAR
all at LOW COST!
GET THE FACTS FROM WCAR
PONTIAC • MICH.
of THE FOREMAN CO. NATIONAL REPS
CHICAGO • NEW YORK

THE VOICE OF MISSISSIPPI
WJDX
5,000 D
1,000 N
JACKSON
N.B.C. RED
Owned and Operated By
LAMAR LIFE INSURANCE COMPANY
JACKSON, MISSISSIPPI

ARIZONA'S FIRST STATION
First with Listeners
First on the Dial
KOY
CBS
550 KC.
PHOENIX
KOY carries more hours of network commercial than any other Arizona station.
JOHN BLAIR & COMPANY
Affiliate Station WLS Chicago

Press-Radio Hearings

(*Continued from page 51*)

all geared to show that the press association effort was toward suppression of competition.

Press Radio Bureau Minutes Reviewed

Mr. Barrett explained, under examination by FCC Counsel Lloyd, that Press Radio Bureau went into a decline when UP and INS, in 1935, began delivering news to broadcast stations for sponsorship. This was premised upon supression of "outlaw competition", he said, since these other services had been selling direct to radio. He identified Transradio as one of the news services which UP and INS were to "kill off".

Minutes of the Press Radio Bureau meetings also showed that consideration was given to applying "pressure" upon Reuters, British press association, to discontinue serving Transradio. Mr. Connolly, as head of INS, was quoted as having said that he would stop Reuters service. The minutes, all said to have been prepared by Mr. Barrett, reported that "somebody" said that if Transradio did not have Reuters, it would have a difficult time in procuring foreign news.

Financial support of the networks was withdrawn from Press Radio Bureau on Jan. 7, 1939, Mr. Barrett testified, on direct examinatioh. Asked about its status today and whether it was a "sort of zombie" by Chairman Fly, Mr. Barrett said it still exists as a corporation.

Barrett Says He Paid 'About a Dollar'

Under cross - examination by Judge Thacher, Mr. Barrett explained that he personally had incorporated Press Radio Bureau and that he holds virtually all of its stock. He did not recall how much he had paid for it, but thought it was "about a dollar". He could not state flatly whether he had put any money into it. Pursued on the financing of the operation, Mr. Barrett said he believed he had put "one dollar and other valuable considerations" in it, but that he did not have the records with him.

Commission Counsel Lloyd inquired as to the relevancy of the examinatioh, but Chairman Fly permitted it to continue.

Pressed by Judge Thacher as to how he happened to acquire the stock in the organization if it was financed by other people, Mr. Barrett declared he had to carry on the operation and he "took the bull by the horns" and incorporated it in order to continue paying bills and employes.

Press Radio service continued on the networks until Dec. 27, 1938 and to other stations until Oct., 1940, Mr. Barrett recalled.

He said that limitations placed on broadcast of news had to be relaxed from time to time because of these "outlaw" operations. He agreed with Judge Thacher that press association and newspaper people felt that some of these so-called "outlaw" operations actually were "pirating" their news.

Mr. Barrett said he had incorporated Press Radio Bureau on Feb. 5 or 6, 1935, and that the final meeting of the board of directors was not called until May 7, 1935. He declared that WGN, Chicago, withdrew in October, 1940, and that his "clientele had vanished".

He agreed that the term "outlaw" was a "literal" use and that it was sort of "trade jargon".

Paul W. White, director of public affairs of CBS, called also as a Commission witness, explained that he had started with CBS in 1933 as publicity director. He said he became vice-president and general manager of the CBS news service, which was formed to supply news for the network. It was set up because it had become impossible to procure news from the existing news services, he declared, in response to Mr. Lloyd.

White Disclaims 'Outlaw' Appellation

Disclaiming the "outlaw" appellation, Mr. White said he thought the news service, during its six months of existence, was conducted with accuracy and integrity. Bureaus were established in New York, Washington, Chicago and Los Angeles, with "string men" retained for actual coverage in every city of 20,000 or over. During its six months of existence, he said, there never had been any charge of piracy of news of which he was aware.

Mr. White admitted that bad reaction had resulted from newspaper publishers over the formation of the news service and that in certain cities newspapers dropped CBS programs, while carrying those of competitors. He said that the news so gathered was not sponsored.

In 1935 CBS acquired UP and INS, originally for local station broadcast but later for the network.

Beginning with the Anschluss and through Munich, CBS began regular foreign pickups, and also set up elaborate shortwave listening centers. Since that time, h said, the listener demand has be such that extensive service h been maintained.

CBS now maintains an extensiv European and domestic staff, h said, and makes available to th press, at no charge, reports fro its own staff or listening center

CBS Gets 500,000-Word News Budget Daily

Asked by Judge Thacher as the volume of news processed CBS headquarters, as compare for example, to that handled b the *New York Times*, Mr. Whi estimated that a budget of som 500,000 words per day, equal about 500 newspaper columns, co stitutes the intake from all source He estimated this was as muc news as is received by any new paper organization anywhere the world.

Mr. White said he thought th the "dark ages" of radio news ha gone forever, that the experience the early days proved invaluab and that the public would not tole ate a return to the old system no

Lloyd Stratton, assistant gener manager of AP, identified an e hibit, embodying minutes of A meetings dating back to 1922, dea ing with radio. These successive showed that AP membership wa opposed to using its news on th air initially, gradually relaxed th rules, and finally, as of April this year, began selling its new for sponsorship to stations, throug a subsidiary, Press Association In

Mr. Stratton said he was whol unacquainted with the organizatio of PA and the manner in which functioned.

Before Mr. Connolly took th stand for INS, Thomas Brenna of New York, his attorney, pre aced his appearance with the stat ment that his company did n concede the authority of the Co mission to conduct the investig tion into press services and that reserved all rights with respect t jurisdiction of any rules that ma eventually be adopted.

Mr. Connolly explained he wa president of King Features, f which INS is a subsidiary. Aske about certain of the minutes o meetings of Press Radio Bureau under examination by Mr. Lloyd Mr. Connolly said that he had neve seen them until they were intro duced in the hearing and that h had not examined them carefull He said INS began selling its se vice to radio in 1935.

Judge Thacher asked if his fai ure to comment on the Press Radi minutes could be construed to mea that he was present at all meeting and was unfamiliar with the con tents. Mr. Connolly said he did no want it understood that way.

In recessing the hearings unt Sept. 17, Chairman Fly expresse the hope that counsel would "co operate in the preparation of data and not "'waste time". He said h thought he ought to suggest tha all parties be prepared upon re convening to "proceed to a conclu sion".

Drawn for BROADCASTING by Sid Hix

"It's a Man-From the Commission. He Asked Us Not to Mention the War in Our News Broadcasts!"

RADIO DELIVERS

Manpower Announcements Get Plaudits from Government

CALLING for continuing cooperation in securing another 500,000 workers for national defense industrial operations, Lucille Foster McMillin, acting president of the U. S. Civil Service Commission, in a July 21 letter to the NAB praised the radio industry for its assistance in securing 500,000 skilled and technical workers for the defense effort in the last year.

Commenting that the Civil Service Commission a year ago "turned with full confidence to the radio industry" to round up the needed thousands of laborers, she declared that "radio has not failed that confidence". During the year more than 500,000 placements have been made in the War and Navy Departments, with hundreds in each of many other departments, she stated, and 10,000 placements still are being made each week.

"From little towns in Kansas, from the rolling hills of Tennessee, from the broad plains of Texas, men who had in their financial stringency gone back to kinfolks, started small groceries, sold insurance, and even apples, were given a chance through radio to learn that they might return to the trades for which they had special skills," the Civil Service official declared.

"I need not further assure you, as has been done several times, of the appreciation of the U. S. Civil Service Commission, and through it, the Federal Government for the help that radio has given. The radio industry in its splendid cooperation can feel that it has made a very real and concrete contribution to the development of the national defense program. That it did it as a matter of course, and because it desired to help is but a real assurance of its attitude as a part of the American Way."

CHALK UP "V"S ON YOUR SALES BOARD

-THEY ARE THE VITAL MARKETS *for* VICTORY *in* NEW ENGLAND

NO single station, or small combination of stations, can reach and sell this prosperous six states area because it is definitely divided into specific buying centers, each a salient sales unit in itself.

Every one of these key sectors merits intensive promotion. Community merchants expect it — community residents respond to it and repeated successes of foresighted advertisers prove that this "all out" attack is essential for maximum results.

You get this sales-effective coverage only with the 19 stations of The Yankee Network, which delivers locally accepted, locally acted upon advertising. It's a "must" on every radio campaign in New England.

WNAC	Boston
WTIC	Hartford
WEAN	Providence
WTAG	Worcester
WICC	Bridgeport / New Haven
WCSH	Portland
WLLH	Lowell / Lawrence
WSAR	Fall River
WLBZ	Bangor
WFEA	Manchester
WNBH	New Bedford
WBRK	Pittsfield
WNLC	New London
WLNH	Laconia
WRDO	Augusta
WCOU	Lewiston / Auburn
WHAI	Greenfield
WSYB	Rutland
WELI	New Haven

Memo To THE MAKERS of BOND BREAD

Just a word of thanks for your scheduling of Gene and Glenn, thru your agency Newell-Emmett Co. Inc., on a Yankee Network hookup, Monday thru Friday at noon.

We'll bet the boys will sell plenty of bread.

JOHN SHEPARD 3rd.
President, The Yankee Network

THE YANKEE NETWORK, INC.

21 BROOKLINE AVENUE, BOSTON, MASSACHUSETTS

EDWARD PETRY & CO., INC., Exclusive National Sales Representatives

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